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ABSTRACT

A draft of proposed federal legislation entitled "America 2000 Excellence in Education Act" is presented in this document. Contents include a message from President Bush and a copy of the act, which offers proposals in the following areas: New American Schools; Merit Schools; training and certification of teachers and school leaders; educational reform and flexibility; parental choice; national assessment of educational progress; a National Commission on Time, Study, Learning, and Teaching; Regional Literacy Resource Centers; and general provisions. Twelve Congressional recommendations are offered, some of which include providing federal startup funding to communities; rewarding effective schools; supporting teacher and school leader training; developing alternative teacher and administrator certification programs; providing schools with greater flexibility in exchange for accountability; expanding parental choice; expanding the national educational assessment program; and creating Regional Literacy Resource Centers and a National Commission on Time, Study, Learning, and Teaching. (LMI)

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102d Congress, 1st Session - - - - - - - - - - - - House Document 102-91

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PROPOSED LEGISLATION—AMERICA 2000 EXCELLENCE IN EDUCATION ACT

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A DRAFT OF PROPOSED LEGISLATION ENTITLED, "AMERICA 2000 EXCELLENCE IN EDUCATION ACT"

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

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EA 023 489

MAY 22, 1991.—Message and accompanying papers referred to the Committee on Education and Labor and ordered to be printed

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U.S. GOVERNMENT PRINTING OFFICE

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To the Congress of the United States:

I am pleased to transmit today for your immediate consideration and enactment the "AMERICA 2000 Excellence in Education Act", a bill to help America attain the National Education Goals by the year 2000. I believe that a bold and comprehensive effort, involving all sectors of our society, is needed if we are to implement real educational reforms and reach the National Education Goals by the year 2000. The "AMERICA 2000 Excellence in Education Act" would authorize specific legislative initiatives designed to support such an effort.

Eight years ago, the National Commission on Excellence in Education reported to the Nation that our schools were failing. Since that time, States and localities have enacted a number of school reforms, but these actions have been too slow and too timid. The strategy that I announced on April 18 responds to our need for bold action. It would bring together elected officials, business people, educators, parents, social service providers, civic and religious groups, and, to the greatest extent possible, every American in every community in a crusade to transform our educational system.

AMERICA 2000 is more than just a Federal effort; it is truly a national strategy. Only through a national effort, in which all sectors of society join, will we be able to attain our goals. Further, AMERICA 2000 is not just a program or a set of programs; rather, it is a national crusade. The legislative proposals included in this bill are just components, albeit very important components of a strategy most of which would take place outside the Federal Government.

The "AMERICA 2000 Excellence in Education Act" includes the following specific legislative initiatives aimed at fulfilling the principles described below:

The *New American Schools* program would provide seed money for the start-up of "break-the-mold" schools. These schools would: (1) employ the best that is known about teaching and learning; (2) make use, as appropriate, of the latest technologies; and (3) be tailored to meet the needs and characteristics of individual communities. At least one school would be established in each U.S. Congressional District in communities designated as "AMERICA 2000 Communities."

The *Merit Schools* program would reward schools that make notable progress toward achievement of the National Education Goals, particularly the goal of ensuring that all students leave grades four, eight, and twelve having demonstrated competence in the core academic subjects. At least 20 percent of each State's funding would be used for awards to schools that have made outstanding progress in mathematics and science

education. This program would provide a powerful incentive for all schools to improve their educational performance.

Attainment of the National Education Goals will depend heavily on the preparation and performance of teachers, principals, and other school leaders. Therefore, three initiatives focus on providing seed money for the training of teachers and school leaders and for the development of alternative teacher and principal certification programs in the States.

Governors' Academies for Teachers would be established in each State. These academies would provide experienced teachers with opportunities for renewal and enhancement of their knowledge and teaching skills in the core academic disciplines of English, mathematics, science, history, and geography. Separate funding would be used by the academies to reward and recognize outstanding teachers of the core subjects.

Governors' Academies for School Leaders would operate in each State to provide current and prospective principals and other school leaders with training in instructional leadership, school-based management, school reform strategies, and other skills necessary for effective educational administration.

The *Alternative Certification of Teachers and Principals* program would assist States interested in broadening the pool of talent from which to recruit teachers and principals. Funds would assist States to develop and implement, or expand and improve, flexible certification systems. Through these alternative certification systems, talented professionals, and others who have demonstrated subject matter competence or leadership in fields outside of education could become teachers or principals.

The *Educational Reform through Flexibility and Accountability* part of the legislation would authorize projects that would improve student outcomes through increased flexibility in using Federal, State, and local categorical funds and services to achieve specific goals.

The bill would also improve the *Chapter 2* State grant program by requiring that more funds be reserved at the State level, where more significant educational reform activities can be implemented. The bill would also authorize the use of those funds to support enhancement of parental choice.

Educational choice is one of the most important tools that communities can embrace in their pursuit of educational improvement. Three components of the "AMERICA 2000 Excellence in Education Act" address the need for encouraging and testing different methods for enhancing educational choice.

The bill would amend the *Chapter 1* Compensatory Education program to support decisions by parents making educational choices for their children. As amended, the statute would provide that Chapter 1 services follow the child participating in Chapter 1 to the public or private school that the child chooses to attend. The child's local school system would arrange for Chapter 1 services to "follow the child" or, if the school system decides that approach is not feasible or efficient, it would provide the child's parents with a cash grant that

would enable them to purchase compensatory education services for their children.

The *Assistance for Parental Choice* initiative would provide payments to local educational agencies that have implemented programs in which parents are permitted, and given sufficient financial incentives, to select among a variety of public and private educational programs.

Educational Choice Programs of National Significance would make grants to demonstrate and evaluate approaches that show potential for expanding educational choice.

To assist in measuring progress toward the National Education Goals, the bill would make important changes to the authority for the *National Assessment of Educational Progress.* The bill would authorize the collection of State-representative data on English, mathematics, science, history, and geography in grades four, eight, and twelve beginning in 1994. The legislation would also permit the use of National Assessment tests at district and school levels by States that wish to do so.

Because Americans need to know how much time their children should spend learning and how that time should be used, the bill would authorize creation of a *National Commission on Time, Study, Learning, and Teaching.*

In support of the National Education Goal that every adult American be literate by the year 2000, the bill would authorize establishment of *Regional Literacy Resource Centers.* These centers would provide technical assistance to, and enhance coordination among, State and local providers of literacy services.

I urge the Congress to take prompt and favorable action on this legislation. Taken together, these initiatives, coupled with the rest of the AMERICA 2000 strategy, would spur the actions that are necessary for this country to attain the National Education Goals by the year 2000.

GEORGE BUSH.

THE WHITE HOUSE, *May 22, 1991.*

A BILL

To help the Nation achieve the National Education Goals by supporting the creation of a new generation of American Schools in communities across the country; rewarding schools that demonstrate outstanding gains in student performance and other progress toward the National Education Goals; creating academies to improve leadership and core-course teaching in schools nationwide; supporting State and local efforts to attract qualified individuals to teaching and educational administration; providing States and localities with statutory and regulatory flexibility in exchange for greater accountability for student learning; encouraging, testing, and evaluating educational choice programs; increasing the potential usefulness of the National Assessment of Educational Progress to State and local decision-makers; expanding Federal support for literacy improvements; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "AMERICA 2000 Excellence in Education Act".

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SEC. 2. This Act is organized as follows:

TITLE I--NEW AMERICAN SCHOOLS

TITLE II--MERIT SCHOOLS

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TITLE VI--NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS

TITLE VII--NATIONAL COMMISSION ON TIME, STUDY, LEARNING, AND TEACHING

TITLE VIII--REGIONAL LITERACY RESOURCE CENTERS

TITLE IX--GENERAL PROVISIONS

FINDINGS

SEC. 3. The Congress finds that--

(1) eight years after the report of the National Commission on Excellence in Education, the Nation's schools have yet to show significant improvement;

(2) the educational reforms of the 1980's were too slow and too timid; a bolder and more comprehensive effort that involves the citizens of every American community is needed;

(3) the Federal Covernment should provide start-up funding to communities across the country to create their own high-performance New American Schools--schools where all students meet new World Class Standards;

(4) rewards for schools in which students make significant gains in learning can spur improvements in all schools;

(5) teachers and school leaders in every State should receive the additional training they need to deliver capable instruction in the core academic disciplines and to provide strong instructional leadership to their schools;

(6) new approaches to training and certifying teachers

and principals would expand the pool of talent from which schools draw professional staff and would enable talented, qualified individuals who do not possess traditional credentials to enter teaching and the principalship;

(7) greater flexibility and accountability at the school site can enable educators to improve learning for all students;

(8) expanding parental choice among schools can help all schools to improve;

(9) an expanded National Assessment of Educational Progress can be used to provide clear and comparable information on the progress of States, school districts, and schools toward attainment of the National Education Goals;

(10) Americans need to know how much time their children should spend learning, and how that time should be used, in order for those children to develop the intellectual competencies necessary for a productive workforce and an enlightened citizenry;

(11) better coordination of adult literacy services, and access by service providers to information about the best practices in the field of literacy, will assist the Nation in meeting the goal that every adult American be literate by the year 2000; and

(12) therefore, national progress toward attainment of the National Education Goals by the year 2000 can be assisted by the Federal Government through initiatives that provide funds for

the creation of the first of a new generation of American schools; reward schools that make demonstrated progress toward attainment of the National Education Goals; create academies for the training of teachers and school leaders; provide support for development of alternative teacher and school administrator certification programs in the States; provide schools with greater flexibility in exchange for accountability for results; encourage, test, and evaluate educational choice programs; expand the National Assessment of Educational Progress; create a National Commission on Time, Study, Learning, and Teaching; and establish Regional Literacy Resource Centers.

TITLE I -- NEW AMERICAN SCHOOLS

STATEMENT OF FINDINGS

SEC. 101. The Congress finds that--

(1) many American elementary and secondary schools--

(A) are structured according to models that are outmoded and ineffective;

(B) rely on notions about pedagogy, management, technology, staffing, and other resources that may be outdated or insufficient for the challenges of the next century; and

(C) are unsuccessful at equipping the majority of students with the knowledge and skills needed to succeed as citizens and in the workplace;

(2) new approaches to elementary and secondary education are needed. Without major reforms in elementary and secondary schools, the United States will lose its ability to compete fully and successfully in the world economy;

(3) although educational change must take place school by school, experience shows that the schools, on their own, will not alter themselves radically;

(4) there is an appropriate Federal role in providing seed money for the establishment of new types of schools in communities across the country; and

(5) the Nation is embarking on a major effort to support the invention of radically better forms of schooling, and to establish a network of American communities whose citizens are dedicated to the improvement of education.

PURPOSE

SEC. 102. (a) The purpose of this title is to support the creation of new schools across the country--schools that reflect the best thinking about teaching and learning, employ the highest-quality instructional materials and technologies, and are designed to meet the National Education Goals, as well as the particular needs of their students and communities.

(b) In order to carry out this purpose, this title authorizes financial assistance for New American Schools in communities that have been designated "AMERICA 2000 Communities".

ALLOCATION OF FUNDS

SEC. 103. (a) From the amount of funds appropriated to carry out this title for fiscal years 1992, 1993, and 1994, the Secretary shall reserve a total of up to $3 million for a national program evaluation.

(b)(1) The Secretary shall allocate the remaining funds among the several States in proportion to their respective numbers of members of Congress, including Senators, Representatives, and Delegates. For the purpose of this subsection, the Commonwealth of the Northern Mariana Islands and Palau (until the effective date of the Compact of Free Association with the Government of Palau) shall be treated as if they each had one member of Congress.

(2) If, within any State, a congressional district has no community that has been designated an AMERICA 2000 Community,

or there are fewer such communities than members of Congress from such State, the Secretary shall proportionately reduce such State's allocation under paragraph (1), and shall proportionately increase the allocation of all other States.

STATE APPLICATIONS

SEC. 104. In order for a State to qualify for its allocation under section 103(b), the Governor shall submit an application at such time as the Secretary may determine, including--

(1) a description of the process the Governor has used, in accordance with section 105, to nominate communities to create New American Schools;

(2) a list of the communities nominated by the Governor, and the name of the agency, institution, or organization designated by the Governor to receive a New American School grant on behalf of each such community;

(3) copies of the plans, prepared by each community nominated by the Governor for funding under this title, for establishing and operating a New American School, including, as necessary, a description of the steps to be taken to obtain recognition or accreditation from the State;

(4) an identification of non-Federal resources that will be available to establish and operate each New American School in the State; and

(5) such other information as the Secretary may require.

SELECTION OF COMMUNITIES TO CREATE NEW AMERICAN SCHOOLS

SEC. 105. (a)(1) The Governor of each State shall nominate communities within the State to create New American Schools.

(2) The Governor may nominate only communities that have been previously designated by the Governor as AMERICA 2000 Communities, in accordance with the President's AMERICA 2000 initiative.

(b) In carrying out subsection (a), each Governor shall nominate--

(1) at least as many communities as there are members in the State's congressional delegation; and

(2) at least one community in each congressional district in the State.

(c)(1) Each Governor shall nominate communities on the basis of criteria established by the Secretary, based on the advice of the panel of experts established under section 107, including, at a minimum--

(A) the level of commitment and activity displayed by the community through its participation in the AMERICA 2000 Communities initiative;

(B) the need for new and innovative educational programs in the schools of the community; and

(C) the quality of the application submitted by the applicant to the Governor.

(d)(1) The Secretary, with the advice of the panel of experts established under section 107, shall approve some or all

of the communities nominated by each Governor, and the agencies, institutions, and organizations designated by the Governor to receive New American School grants on behalf of those communities, based on the Secretary's determination that such approval would be fully consistent with the purpose and requirements of this title.

(2) The Secretary shall ensure that--

(A) to the extent consistent with paragraph (1), a New American School is created in each congressional district and that the number of such schools created in each State is at least equal to the number of members in the State's congressional delegation; and

(B) communities with high concentrations of children from low-income families in each State receive an equitable share of awards under this title.

(e) The Governor may nominate other communities or recipients if--

(1) the Secretary does not approve one or more of the Governor's nominees;

(2) an approved community or recipient withdraws from the program; or

(3) the Secretary determines that the community or recipient is unable successfully to carry out its project or is not making adequate progress in carrying out such project.

AMOUNT OF AWARDS, OPERATION OF SCHOOLS, AND USES OF FUNDS

SEC. 106. (a)(1) The Secretary shall make grants for New

American Schools to agencies, organizations, and institutions selected by the Secretary under section 105(d).

(2) The Secretary, after consultation with the Governor, shall determine the total amount of each award under this title, except that--

(A) no such award shall exceed $1,000,000; and

(B) the Secretary shall consider the expected student enrollment in the New American School in setting such amount.

(b) In establishing a New American School, the grantee is encouraged to adapt and implement one or more New American School designs developed by research and development teams funded by the New American Schools Development Corporation.

(c)(1) Funds made available under this title may be used only to meet the special start-up costs associated with the creation and establishment of a New American School, including--

(A) planning, curriculum development, and curriculum adaptation;

(B) training of teachers, administrators, and other staff, as well as parents and members of the community who are involved with the school;

(C) purchase of equipment and materials;

(D) minor renovation and remodeling of facilities; and

(E) obtaining the assistance of outside experts, including one or more of the teams described in subsection (b),

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to assist it in adapting and implementing one or more of the designs developed by such teams to the needs of the individual community and school.

(2) Such funds may not be used for construction or for the grantee's general administrative expenses.

(d) Each New American School shall have obtained State recognition or accreditation, as necessary, and be fully operating by the start of the 1996-1997 school year.

SECRETARY'S PANEL OF EXPERTS

SEC. 107. Within 90 days of enactment of this Act, the Secretary shall convene an expert panel of educators, representatives of private business, and public representatives to advise on the administration of the program authorized by this title, including--

(1) the criteria to be used to nominate communities for New American Schools; and

(2) the approval of communities nominated by Governors to establish and operate New American Schools, and of the agencies, institutions, and organizations to receive grants for those schools.

NATIONAL EVALUATION

SEC. 108. (a) The Secretary shall use the funds reserved under section 103(a) to conduct a national evaluation of the impact of the New American Schools program on schools and communities, and on education generally.

(b) The Secretary shall submit such interim evaluation reports to the President and the Congress as may be appropriate, and shall submit a final report by September 30, 1998.

AUTHORIZATION OF APPROPRIATIONS

SEC. 109. For the purpose of carrying out this title, there are authorized to be appropriated $180 million for fiscal year 1992, $180 million for fiscal year 1993, and $185 million for fiscal year 1994. Such sums shall remain available for obligation by the Secretary for two fiscal years beyond the fiscal year for which they are appropriated.

DEFINITION

SEC. 110. For the purpose of this title, the term "community" means--

(1) a unit of general purpose local government, such as a city, township, or village;

(2) a geographically distinct area, such as a school district, school attendance area, ward, precinct, or neighborhood; or

(3) an identifiable group of individuals, such as the members of a service organization, who generally reside in a particular geographic area.

TITLE II -- MERIT SCHOOLS

FINDINGS AND PURPOSE

SEC. 201. (a) FINDINGS.--The Congress finds that--

(1) all elementary and secondary schools in the United States should seek to attain the National Education Goals by the year 2000;

(2) achievable standards of excellence can and should be set for all students and for all schools;

(3) schools' progress in meeting those standards should be measured and made public;

(4) financial incentives can spur schools to rise to the challenge of meeting those standards; and

(5) demonstrated school-wide progress in achieving excellence, particularly in mathematics and science, deserves reward and recognition.

(b) PURPOSE.--The purpose of this title is to recognize and reward public and private elementary and secondary schools (including their faculty) that make documented progress in attaining the National Education Goals, particularly the goal of increasing students' mastery of the core academic subjects.

AUTHORIZATION OF APPROPRIATIONS

SEC. 202. For the purpose of carrying out this title, there are authorized to be appropriated $100,000,000 for fiscal year 1992 and such sums as may be needed for each of the four succeeding fiscal years. Such sums shall remain available for

obligation by the Secretary for two fiscal years beyond the fiscal year for which they are appropriated.

ALLOCATION OF APPROPRIATIONS

SEC. 203. (a) RESERVATIONS.--From the amount appropriated under section 202 for any fiscal year, the Secretary may reserve--

(1) up to one quarter of 1 percent for grants to Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau (until the effective date of the Compact of Free Association with the Government of Palau) for activities under this part; and

(2) up to two percent for evaluations and dissemination.

(b) ALLOCATION AMONG STATES.--(1) The amount remaining after any reservation of funds under subsection (a) shall be allocated among the States on the same basis as funds were allocated among such States under sections 1005 and 1006 of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year.

(2) For purposes of this subsection, the term "State" means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

STATE APPLICATIONS

SEC. 204. (a) APPLICATIONS.--The Governor of each State that wishes to receive a grant under this title shall submit to the Secretary an application for a three-year period, which may

be followed by an application for the succeeding two years, at such time and in such manner as the Secretary may prescribe.

(b) APPLICATION CONTENTS.--Each State application shall contain--

(1) the criteria the Governor will use to select Merit Schools under section 207;

(2) the criteria the Governor will use to determine the amount of awards;

(3) an assurance that the State will carry out this title in accordance with the requirements of this title and other applicable legal requirements; and

(4) other information the Secretary may require.

(c) GEPA PROVISIONS INAPPLICABLE.--Sections 435 and 436 of the General Education Provisions Act, except to the extent that such sections relate to fiscal control and fund accounting procedures, shall not apply to this title.

STATE USE OF FUNDS

SEC. 205. (a) ADMINISTRATION.--Each State may use up to five percent of its annual allocation for the administrative costs of carrying out this title.

(b) MERIT SCHOOL AWARDS.--(1) Each State shall use at least 95 percent of its annual allocation for Merit School awards made in accordance with section 207, except that the Governor may, by so notifying the Secretary, designate part or all of such amount to remain available to make such awards for two additional years.

(2) Of the amount used for Merit School awards, the

Governor shall use at least 20 percent for awards to schools that demonstrate exceptional progress in improving students' performance in mathematics and science, in addition to meeting the national and State criteria under sections 207(b) and (c).

STATE ACTIVITIES AND RESPONSIBILITIES

SEC. 206. (a) STATE REVIEW PANEL.--(1) Each Governor shall establish a State review panel to assist in the selection of Merit Schools.

(2) The State review panel shall be broadly representative of the following interests in the State--

(A) public and private elementary and secondary school teachers and administrators;

(B) college and university faculty and administrators;

(C) parents;

(D) students;

(E) State and local boards of education;

(F) State and local governments;

(G) labor;

(H) business; and

(I) the general public.

(b) ANNUAL REPORTS TO THE SECRETARY.--(1) Within 60 days of the end of each fiscal year, each Governor shall submit a report to the Secretary that--

(A) identifies the schools chosen as Merit Schools;

(B) states the reasons for their selection; and

(C) states the amount of the award to each school.

(2) Beginning with the second year for which any State makes awards under this title, the Governor's annual report shall also include a brief description of how schools selected in the previous year used their awards.

SELECTION OF MERIT SCHOOLS

SEC. 207. (a) ELIGIBLE SCHOOLS.--(1) A Governor may designate as Merit Schools public or private elementary or secondary schools in the State that have been nominated through procedures established by the Governor.

(2) In selecting Merit Schools, the Governor shall apply the selection criteria described in subsections (b) and (c) uniformly to public and private schools.

(b) NATIONAL CRITERIA.--Each school selected through the nomination procedure established by the Governor under subsection (a) shall have --

(1) demonstrated progress over a period of at least three years in significantly increasing the number or percentage of students who meet the National Education Goal of leaving grades four, eight, and twelve, as applicable, having demonstrated competency in challenging subject matter, including English, mathematics, science, history, and geography;

(2) utilized objective measures of progress over the period that are established by the State in its plan and approved

by the Secretary; and

(3) made public an annual "report card", which includes information about the progress the school is making toward achievement of relevant aspects of the National Education Goals.

(c) STATE CRITERIA.--(1) In selecting Merit Schools, each Governor may use selection criteria in addition to those set out in subsection (b).

(2) In setting these additional criteria, the Governor--

(A) may include other aspects of educational performance, including the school's progress in attaining the other National Education Goals;

(B) shall take into account differences in the composition of the student body of different schools;

(C) shall give special consideration to schools with substantial numbers or proportions of children from low-income families; and

(D) may set different criteria for awards for achievement in different grade levels.

(3) Each Governor shall develop State criteria for selecting schools to receive awards under section 205(b)(2) for outstanding progress in student achievement in mathematics and science.

(4) In applying the criteria to a school in which a program is conducted under part A of chapter 1 of title I of the

Elementary and Secondary Education Act of 1965, the Governor shall consider the desired outcomes identified for children in the application submitted under section 1012(b) of such Act by the local educational agency operating the school. No school that has received assistance under section 1021(b) of such Act for all of the years covered by a Merit Schools Award competition shall be eligible for a Merit School Award.

(5) In selecting Merit Schools and in setting the amount of their awards, the Governor may not consider a school's planned use of a Merit School award, if it is otherwise permitted by law.

(d) AMOUNT OF AWARD.--Each Governor shall establish criteria, subject to subsection (c)(5), for determining the amount of Merit School awards. Such criteria shall include criteria relating to the school size and the economic circumstances of the student body.

(e) BYPASS.--If a State is either prohibited by State law from providing funds made available under this title to private schools, or is unwilling to do so, the Governor shall notify the Secretary of such prohibition or unwillingness, as well as the private schools the Governor has designated as Merit Schools and the amount of their awards. The Secretary shall then provide those funds, from the State's allocation under this title, to the designated private schools, through such arrangements as the Secretary finds suitable. The Secretary shall also withhold from the State's allocation under this title the administrative costs

of making such arrangements.

USE OF FUNDS BY MERIT SCHOOLS

SEC. 208. A Merit School shall use its Merit School award for activities, otherwise permitted by law, that further the educational program of the school. Such activities may include, but are not limited to--

(1) development, implementation, or expansion of special programs, such as those focused on: dropout prevention or reentry, student transition to college or employment, preschool children, remedial services, or gifted and talented students;

(2) the purchase or lease of computers, telecommunications equipment, scientific instruments, instructional materials, library books, and other equipment and materials, except that a public agency shall have title to, and exercise administrative control of, all such equipment and materials;

(3) bonus payments for faculty and administrators;

(4) college scholarships for secondary school students;

(5) parental involvement activities;

(6) community outreach activities; and

(7) helping other schools replicate its success.

PROHIBITION ON STATE OR LOCAL REDUCTION OF OTHER ASSISTANCE

SEC. 209. No Federal, State, or local agency may, in any year, take a Merit School award into account in determining

whether to award any other assistance from Federal, State, or local resources, or in determining the amount of such assistance, to either the Merit School itself or the local educational agency, if any, that operates the school.

TITLE III -- TEACHERS AND SCHOOL LEADERS

PART A -- GOVERNORS' ACADEMIES FOR TEACHERS

STATEMENT OF FINDINGS

SEC. 301. The Congress finds as follows:

(1) Reform and restructuring of American education, and the Nation's ability to attain the National Education Goals, depend heavily on the quality of teaching in elementary and secondary schools, particularly in the core academic disciplines of English, mathematics, science, history, and geography.

(2) Experienced teachers need access to training of exceptional quality to keep current in the core academic disciplines, participate successfully in curriculum development, and act as master teachers.

(3) Governors' efforts to reform elementary and secondary education in the States should include a focus on ensuring that teachers have a firm grasp of, and keep current in, the core academic disciplines.

(4) Governors' Academies for Teachers can be a principal vehicle for providing the kind of high-level, intensive training essential to education reform and accomplishment of the National Education Goals.

(5) Excellent teachers in the academic subjects deserve public recognition and appropriate financial rewards in return for their efforts.

PURPOSE

SEC. 302. The purposes of this part are--

(1) to build the highest quality teaching force for the Nation's schools, by providing start-up funds for Governors' Academies that teachers from public and private elementary and secondary schools may attend to obtain advanced instruction focusing on the core academic disciplines; and

(2) to establish awards for outstanding teachers in the academic subjects covered by those Academies.

PROGRAM AUTHORIZED; ALLOCATION OF APPROPRIATIONS

SEC. 303. (a)(1) From funds appropriated under section 308(a) and (b), the Secretary shall make a one-time, five-year grant to each State, in accordance with this part, to establish and operate Governors' Academies for Teachers and to recognize outstanding teachers.

(2) The Governor of each State shall use the State's grant to make competitive awards to the State educational agency, local educational agencies, institutions of higher education, other public and private agencies and organizations, or consortia of such agencies, institutions, and organizations, to establish and operate Governors' Academies for Teachers.

(3) Such Academies may be operated in cooperation or consortium with those of other States.

(b)(1) From the funds appropriated for this part for any fiscal year, the Secretary--

(A) may reserve up to $500,000 for evaluations

of, and dissemination of information about, activities conducted under this part; and

(B) shall reserve up to $175,000 for Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau (until the effective date of the Compact of Free Association with the Government of Palau), to be expended in such manner as the Secretary determines will best meet the purpose of this part.

(2) The Secretary shall proportionately allocate the remainder of such funds to each of the 50 States, the District of Columbia, and Puerto Rico, on the basis of the full-time equivalent number of public elementary and secondary school teachers in the most recent year for which satisfactory data are available.

(3) If the Secretary determines that any amount of a State's allotment for any fiscal year under paragraph (2) will not be needed for such fiscal year by the State, the Secretary shall reallot such amount to other States that need additional funds, in such manner as the Secretary determines is appropriate.

STATE APPLICATION

SEC. 304. (a) The Governor of each State wishing to receive a grant under this part shall submit an application to the Secretary, for a five-year period, at such time and in such manner, as the Secretary may prescribe.

(b) Each such application shall include--

(1) a description of how the Governors' Academies

planned for the State will relate to the Governor's overall plan for the reform of elementary and secondary education and the attainment of the National Education Goals in the State, including, in particular, improvement of education in the core academic subjects;

(2) a description of the competitive process the Governor will use to select applicants to operate the Governors' Academies for Teachers in the State;

(3) an assurance that a separate Academy will be established in each of the five core academic subjects (English, mathematics, science, history, and geography), unless the Governor determines that it would be inefficient to use funds in this manner and the application describes the Governor's reasons for establishing Academies that focus on more than one subject. Nothing in this paragraph prohibits the same agency, institution, or organization from operating more than one Academy;

(4) a description of how Academy participants will be selected;

(5) a description of how the State will monitor the implementation of Governors' Academies for Teachers, including the awards to teachers under section 305(d), and the performance of teachers who have been trained in those Academies, and an assurance that it will comply with reasonable requests of the Secretary for information on these matters;

(6) a description of how the State will meet the cost-sharing requirements of section 307, and how the State will

continue to operate the Academies when Federal assistance is no longer available; and

(7) such other assurances and information as the Secretary may require.

AUTHORIZED ACTIVITIES

SEC. 305. (a) Each Governor's Academy for Teachers assisted under this title shall conduct a program of intensive instruction, during the summer or the school year, focusing on the core academic disciplines of English, mathematics, science, history, and geography. Such instruction shall be provided to current elementary and secondary school teachers.

(b) The instruction provided by each such Academy shall include--

(1) renewal and enhancement of participants' knowledge of one of the five core academic disciplines described in subsection (a), except as provided in section 304(b)(3);

(2) teaching skills and strategies needed to impart academic subject matter to students, including students who are economically disadvantaged, limited English proficient, or have disabilities, and other students from diverse backgrounds;

(3) at the Academy's discretion, the use of educational technologies in teaching the core academic disciplines;

(4) training needed to become a lead teacher or a master teacher in a core subject, consistent with State policies on teacher career ladders;

(5) training needed to participate in curriculum development in a core subject; and

(6) training in the development and use of assessment tools.

(c) Each Academy assisted under this part shall carry out activities consistent with the purpose of this part, which may include--

(1) review of existing teacher enhancement programs to identify the most promising approaches;

(2) development of a curriculum for use by the Academy;

(3) recruitment of teachers within the State to participate in the Academy's program, including, on a nondiscriminatory basis, recruitment of--

(A) minority group members;

(B) individuals with disabilities;

(C) individuals from areas with high numbers or concentrations of disadvantaged students; and

(D) other teachers who have a potential for leadership;

(4) follow-up activities for previous participants;

(5) dissemination of information about the Academy, including the training curricula developed; and

(6) evaluation of the impact of the Academy on the teaching practices of participants, and other evaluation activities designed to strengthen the Academy's program.

(d)(1) The Governor shall allocate to the Academies, in the same proportion as funds appropriated under section 308(a) are distributed to those Academies, the State's allocation under section 308(b). Each Academy shall use such allocation for a program of cash awards and recognition to outstanding teachers in the core academic subject or subjects covered by the program of the Academy.

(2) Academies shall select teachers to receive awards from nominations received from local educational agencies, public and private schools, teachers, associations of teachers, parents, associations of parents and teachers, businesses, business groups, and student groups.

(3) Any full-time public or private elementary or secondary school teacher of a core academic subject, including an elementary school teacher of the general curriculum, shall be eligible to receive an award under this subpart.

(4) The Academy shall select award recipients in accordance with criteria developed by the Academy and approved by the Governor. The selection criteria may take into account, but are not limited to, teacher's success in--

(A) educating disadvantaged children, such as children with disabilities, children of limited English proficiency, homeless children, or children who are currently or formerly migratory, in a core academic subject;

(B) educating gifted and talented students in a core academic subject;

(C) encouraging students to enroll, and succeed, in advanced classes in a core academic subject;

(D) teaching a core academic subject successfully in schools educating large numbers of disadvantaged students, including schools in low-income inner-city or rural areas;

(E) introducing a new curriculum in a core academic subject into a school or strengthening an established curriculum; or

(F) acting as a "master teacher" in a core academic subject.

(5) The amount of a teacher's award under this subsection shall not exceed $5,000 and shall be available for any purpose the recipient chooses.

USE OF FUNDS

SEC. 306. Each recipient of funds appropriated under section 308(a) shall use those funds to meet the reasonable start-up and initial operating costs of carrying out the activities described in section 305(a) through (c), which may include stipends and travel and living expenses for teachers who participate in the Academy's program if no other funds are available to pay those costs.

COST-SHARING

SEC. 307. (a) Funds received under section 308(a) may be used to pay up to 75 percent of the cost of a Governor's Academy for Teachers in the first year, 65 percent of such cost in the

second year, 55 percent in the third year, 45 percent in the fourth year, and 35 percent in the fifth year. The remaining share shall be provided from non-Federal sources, and may include in-kind contributions, fairly valued.

AUTHORIZATION OF APPROPRIATIONS

SEC. 308. (a) For the purpose of carrying out this part, except for section 305(d), there are authorized to be appropriated $62,400,000 for fiscal year 1992, $54,170,000 for fiscal year 1993, $45,940,000 for fiscal year 1994, $37,710,000 for fiscal year 1995, and $29,480,000 for fiscal year 1996.

(b) For the purpose of carrying out section 305(d), there are authorized to be appropriated $7,600,000 for each of the fiscal years 1992 through 1996.

PART B -- GOVERNORS' ACADEMIES FOR SCHOOL LEADERS

STATEMENT OF FINDINGS

SEC. 311. The Congress finds as follows:

(1) The role of the school principal and other school leaders is central to school performance, school reform, and achievement of the National Education Goals.

(2) School restructuring intensifies the need for effective school leadership as it locates greater authority and responsibility at the school building level. In this context, principals and other administrators need to cultivate strong collegial relationships among teachers and staff and effectively involve parents.

(3) School leaders must be well versed in the core academic disciplines, must provide instructional leadership to the teachers in their schools, and must be able to coordinate school services with those of social service agencies and other organizations, including businesses, in the community affecting students and their families.

(4) Over the next ten years, at least half of those individuals now serving as school principals will be eligible for retirement.

(5) Governors' efforts to reform elementary and secondary education in the States must include a focus on preparing a new generation of highly effective school leaders.

(6) The pool of talent from which to draw school leaders can be expanded substantially with well-designed training

programs.

PURPOSE

SEC. 312. The purpose of this part is to improve the training and performance of public and private school principals and other school leaders, and increase the number of persons who are well trained and well qualified to be school leaders, by supporting the development and implementation of programs that offer--

(1) for prospective school leaders, recruitment, training, and, as appropriate, internships under experienced school leaders;

(2) for experienced school leaders, opportunities for professional renewal and enhancement of skills; and

(3) for all participants, a focus on instructional leadership, school-based management, school reform strategies, and implementation of school-level accountability mechanisms.

PROGRAM AUTHORIZED; ALLOCATION OF APPROPRIATIONS

SEC. 313. (a)(1) The Secretary shall make a one-time, five-year grant to each State, in accordance with this part, to establish and operate a Governor's Academy for School Leaders.

(2) The Governor of each State shall use the State's grant to make competitive awards to the State educational agency, local educational agencies, institutions of higher education, other public and private agencies and organizations, or consortia of such agencies, institutions, and organizations, to establish

and operate a Governor's Academy for School Leaders.

(3) Such Academies may be operated in cooperation or consortium with those of other States.

(b)(1) From the funds appropriated for this part for any fiscal year, the Secretary--

(A) may reserve up to $500,000 for evaluations of, and dissemination of information about, activities conducted under this part; and

(B) shall reserve up to $55,000 for Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau (until the effective date of the Compact of Free Association with the Government of Palau), to be expended in such manner as the Secretary determines will best meet the purpose of this part.

(2)(A) Except as provided in paragraph (3), the Secretary shall proportionately allocate the remainder of such funds to each of the 50 States, the District of Columbia, and Puerto Rico, on the basis of the number of public elementary and secondary schools in each such jurisdiction in the most recent year for which satisfactory data are available.

(B) If the Secretary determines that any amount of a State's allotment for any fiscal year under subparagraph (A) will not be needed for such fiscal year by the State, the Secretary shall reallot such amount to other States that need additional funds, in such manner as the Secretary determines is appropriate.

STATE APPLICATION

SEC. 314. (a) The Governor of each State wishing to receive a grant under this part shall submit an application to the Secretary for a five-year period, at such time and in such manner as the Secretary may prescribe.

(b) Each such application shall include--

(1) a description of how the Governor's Academy for School Leaders planned for the State will relate to the Governor's overall plan for the attainment of the National Education Goals and the reform of elementary and secondary education in the State, including, in particular, improvement of school leadership in the State;

(2) a description of the competitive process the Governor will use to select the applicant to operate the Governor's Academy;

(3) a description of how Academy participants will be selected;

(4) a description of how the State will monitor the implementation of the Governor's Academy and the subsequent progress of individuals trained by the Academy, and an assurance that it will comply with reasonable requests of the Secretary for information on these matters;

(5) a description of how the State will meet the cost-sharing requirements of section 317 and how the State will continue to operate the Academy when Federal assistance is no longer available; and

(6) such other assurances and information as the Secretary may require.

AUTHORIZED ACTIVITIES

SEC. 315. Each Academy assisted under this part shall--

(1) identify models and methods of leadership training and development that are promising or have proven to be successful;

(2) develop curricula, which focus on instructional leadership, school-based management, and the design and execution of school improvement strategies and accountability mechanisms, for the development of school leaders;

(3) identify, in a nondiscriminatory manner, candidates, including members of minority groups, individuals with disabilities, and individuals from schools with high numbers of concentrations of disadvantaged students, to be trained as new school leaders;

(4) provide intensive training and development programs both for persons desiring and demonstrating outstanding promise to become school leaders, and for current school leaders seeking enhanced and up-to-date knowledge needed to perform their jobs effectively;

(5) identify districts and schools with principal and other school leader vacancies and work with them to match Academy participants with such vacancies;

(6) as appropriate, facilitate internships for graduates of the program for new school leaders, under the

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guidance and supervision of experienced administrators;

(7) provide periodic follow-up development activities for school leaders trained through the Academy's programs;

(8) disseminate information about the Academy, including the training curricula developed; and

(9) evaluation of the impact of the Academy on the leadership practices of participants, and other evaluation activities designed to strengthen the Academy's program.

USE OF FUNDS

SEC. 316. Each recipient of funds under this part shall use those funds to meet the reasonable start-up and initial operating costs of carrying out the activities described in section 315, which may include stipends, travel, and living expenses for participants in the Academy if no other funds are available to pay those costs.

COST-SHARING

SEC. 317. Funds received under this part may be used to pay up to 75 percent of the cost of a Governor's Academy for School Leaders in the first year, 65 percent of such cost in the second year, 55 percent in the third year, 45 percent in the fourth year, and 35 percent in the fifth year. The remaining share shall be provided from non-Federal sources, and may include in-kind contributions, fairly valued.

AUTHORIZATION OF APPROPRIATIONS

SEC. 318. For the purpose of carrying out this part, there

are authorized to be appropriated $22,500,000 for fiscal year 1992, $19,500,000 for fiscal year 1993, $16,500,000 for fiscal year 1994, $13,500,000 for fiscal year 1995, and $10,500,000 for fiscal year 1996.

PART C -- ALTERNATIVE CERTIFICATION OF TEACHERS AND PRINCIPALS

FINDINGS

SEC. 321. The Congress finds that--

(1) effective elementary and secondary schools require competent teachers and strong leadership;

(2) school systems would benefit greatly by recruitment pools of well-qualified individuals, such as scientists and engineers, from which to select teachers and principals;

(3) talented professionals who have demonstrated a high level of subject area competence or management and leadership qualities outside the education profession and who wish to pursue second careers in education often do not meet traditional certification requirements; and

(4) alternative certification requirements that do not exclude such individuals from teaching or school administration solely because they do not meet current certification requirements would allow school systems to take advantage of these professionals and improve the supply of well-qualified teachers and principals.

PURPOSE

SEC. 322. (a) It is the purpose of this part to improve the supply of well-qualified elementary and secondary school teachers and principals by encouraging and assisting States to develop and implement alternative teacher and principal certification

requirements.

(b) As used in this part, the term--

(1) "alternative teacher and principal certification requirements" means State or local requirements that permit entry into elementary and secondary teacher and principal positions for individuals who have demonstrated a high level of appropriate subject area competence, or management or leadership qualities, in careers in or out of the education field, but who would not otherwise meet existing requirements for teaching or supervisory positions. Alternative teacher and principal certification requirements may recognize that--

(A) for teachers, a high level of demonstrated competence in an appropriate subject area may be substituted for traditional teacher certification requirements (such as teacher training course work); and

(B) for principals, a high level of demonstrated competence in administration and management may be substituted for traditional principal certification requirements (such as teaching experience or supervisory experience in the field of education); and

(2) "State" means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

AUTHORIZATION OF APPROPRIATIONS

SEC. 323. For the purpose of carrying out this part, there are authorized to be appropriated $25 million for fiscal year 1992.

ALLOTMENTS

SEC. 324. (a)(1) From the amount appropriated to carry out this part, the Secretary shall allot to each State the lesser of either the amount the State applies for under section 325 or an amount that is proportional to the State's share of the total population of children ages five through seventeen in all the States (based on the most recent data available that is satisfactory to the Secretary).

(2) If a State does not apply for its allotment, or the full amount of its allotment, under the preceding paragraph, the Secretary may reallocate the excess funds to one or more other States that demonstrate, to the satisfaction of the Secretary, a current need for the funds.

(b) Notwithstanding section 412(b) of the General Education Provisions Act, funds awarded under this part shall remain available for obligation by a recipient for a period of two calendar years from the date of the grant.

STATE APPLICATIONS

SEC. 325. (a) Any State desiring to receive a grant under this part shall submit an application, through its Governor, at such time, in such manner, and containing such information, as the Secretary may reasonably require.

(b) Each State application shall--

(1) describe the programs, projects, and activities to be undertaken; and

(2) contain such assurances as the Secretary deems

necessary, including assurances that--

(A) funds awarded to the State will be used to supplement, and not to supplant, any State or local funds available for the development and implementation of alternative teacher and principal certification requirements;

(B) the State has, in developing its application, consulted with the State or local agency that certifies teachers and principals, as well as representatives of elementary and secondary school teachers and principals, local school systems, parents, and other interested organizations and individuals; and

(C) the State will submit to the Secretary, through the Governor, at such time as the Secretary may specify, a final report describing the activities carried out with funds awarded under this part and the results achieved.

(c) Sections 435 and 436 of the General Education Provisions Act, except to the extent that such sections relate to fiscal control and fund accounting procedures, shall not apply to this part.

USE OF FUNDS

SEC. 326. (a)(1) A State shall use funds awarded under this part to support programs, projects, or activities that develop and implement new, or expand and improve existing, alternative teacher and principal certification requirements.

(2) A State may carry out such programs, projects, or activities directly, through contracts, or through subgrants to local educational agencies, intermediate educational agencies,

institutions of higher education, or consortia of such agencies.

(b) Programs, projects, and activities supported under this part may include, but are not limited to, the--

(1) design, development, implementation, testing, and evaluation of alternative teacher and principal certification requirements;

(2) establishment of administrative structures necessary to the development and implementation of alternative teacher and principal certification requirements;

(3) training of staff, including the development of appropriate support programs, such as mentor programs, for teachers and principals entering the school system through the alternative teacher and principal certification program;

(4) development of recruitment strategies; and

(5) development of reciprocity agreements between or among States for the certification of teachers and principals.

TITLE IV -- EDUCATIONAL REFORM AND FLEXIBILITY

PART A -- EDUCATIONAL REFORM THROUGH FLEXIBILITY AND ACCOUNTABILITY

STATEMENT OF FINDINGS AND PURPOSE

SEC. 401. (a) FINDINGS.--Historically, Federal education programs have addressed the Nation's most pressing educational problems by providing categorical assistance with detailed requirements relating to the use of funds. While this approach has proven generally successful, some program requirements may inadvertently impede educational achievement. The Nation's schools are being asked to deal effectively with increasingly diverse educational needs that current program structures may not be flexible enough to address. In an era when educational change and reform must prevail, it is more important than ever to provide programs that result in improved educational outcomes for all students; promote the coordination of education and related services that benefit children and their families; respond flexibly to the needs of a diverse student population; stop the proliferation of unnecessary Federal, State, and local regulation; and place less emphasis on measuring resources and reviewing procedures and more emphasis on achieving program results.

(b) PURPOSE.--The purpose of this part is to promote educational reform that leads to improved educational outcomes for participants in affected programs. Under this approach, the schools and other recipients of Federal funds would be held

accountable for achieving specific educational improvement goals in exchange for increased flexibility in the use of their resources. This more flexible approach is intended to enable school and program administrators, teachers, parents, local agencies, and community groups to work together to develop effective education programs that lead to improved achievement and meet the needs of all participants, particularly those who are disadvantaged.

FLEXIBILITY AND ACCOUNTABILITY IN EDUCATION AND RELATED SERVICES

SEC. 402. Subpart 1 of Part C of the General Education Provisions Act (20 U.S.C. 1221 et seq.) is amended by adding after section 421A a new section 421B to read as follows:

"FLEXIBILITY AND ACCOUNTABILITY IN EDUCATION AND RELATED SERVICES

"SEC. 421B. (a) PROGRAM AUTHORIZED.--(1)(A) The Secretary shall, in accordance with this section, assist elementary and secondary schools and other service providers to improve the achievement of all students and other participants, but particularly disadvantaged individuals, by authorizing waivers by which the Governors, State and local educational agencies, and other service providers can improve the performance of schools and programs by increasing their flexibility in the use of their resources while holding them accountable for achieving educational gains.

"(B) In support of these projects, the Secretary is authorized to waive any statutory or regulatory requirement

(except as provided in subsection (e)) applicable to a program administered by the Department of Education that the Secretary determines may impede the ability of a school or other service provider to meet the special needs of such students and other individuals in the most effective manner possible. The head of any other Federal agency is similarly authorized to waive such requirements applicable to a program administered by such agency if the agency head and the Secretary agree that such a waiver would promote the purpose of this section.

"(2) Projects conducted under this section, and any waivers associated with such projects, shall last no longer than three years, except that the Secretary may extend a project and any associated waivers for an additional two years if the Secretary determines that the project is making substantial progress in meeting its goals.

"(3) The Secretary shall terminate a project and its associated waivers if the Secretary, at any time, determines it is not making acceptable progress toward meeting its goals. The head of any other Federal agency who has granted waivers under this section shall determine whether to extend or terminate those waivers, but the Secretary shall have exclusive authority to extend or terminate the project.

"(b) ELIGIBILITY.--(1) Each project that involves elementary or secondary schools shall include the participation of a State educational agency and at least--

"(A) one local educational agency; and

"(B) two schools.

"(2) To the extent possible, each grade and academic program, including programs under part A of chapter 1 of title I of the Elementary and Secondary Education Act of 1965, in a participating school shall participate in the project.

"(3) If fewer than all the schools of a local educational agency participate in a project, available resources, including available Federal assistance, shall not be concentrated unreasonably in those schools that do participate.

"(4) Each project that does not involve elementary and secondary schools shall involve at least two programs, including at least one program administered by the Secretary.

"(c) APPLICATIONS.--The Governor of any State wishing to conduct a project under this section shall, after consultation with, as the Governor finds appropriate, the State educational agency, one or more local educational agencies, and other State and local agencies and service providers, submit an application to the Secretary for each such project. Each application shall include a plan that--

"(1) describes the purposes and overall expected outcomes of the project;

"(2) identifies, for each school or site participating in the project, those impediments to improved educational outcomes that would be removed by the proposed waivers;

"(3) identifies the Federal programs to be included in the project, the Federal statutory or regulatory requirements to

be waived, and the purpose and duration of the requested waivers;

"(4) describes the State and local requirements that will be waived, the purpose of such waivers, and, if such requirements will not have been waived before the project begins, when those waivers will be obtained and take effect;

"(5) describes specific, measurable, educational improvement goals for each school or other site in the project and for each school year of the project, including--

"(A) goals for improving the achievement of all participants, including disadvantaged individuals, with respect to achievement in basic and advanced skills;

"(B) goals that reflect the broad purposes of each program for which a waiver is sought; and

"(C) an explanation of how the applicant will measure progress in meeting the goals set for each school or site in the project and for disadvantaged individuals participating in the project; and

"(6) for projects involving elementary or secondary schools--

"(A) identifies the schools to be included in the project and describes the student population at each school, including--

"(i) current data regarding the achievement of the disadvantaged students as well as other students; and

"(ii) the number of students who--

"(I) are of limited English

proficiency, as defined in section 7003(a)(1) of the Bilingual Education Act;

"(II) are children with disabilities, as defined in section 602(a)(1) of the Individuals with Disabilities Education Act;

"(III) are currently or formerly migratory;

"(IV) are educationally deprived, for the purposes of chapter 1 of title I of the Elementary and Secondary Education Act of 1965; and

"(V) are eligible for a free or reduced price school lunch;

"(B) describes specific goals for enhancing coordination between the regular education program available to all students and programs serving disadvantaged students;

"(C) if fewer than all the schools in a local educational agency will participate in a project, describes the expected educational outcomes for disadvantaged students in schools that do not participate, and how those outcomes will be assessed; and

"(D) describes how school administrators, teachers, staff, and parents (including parents of educationally disadvantaged children) have been, or will be, involved in the planning, development, and implementation of the goals and program for each participating school.

"(d) APPROVAL OF PROJECTS.--(1) The Secretary shall

approve an application for a project under this section if he determines that the project shows substantial promise of achieving the purposes of this section, after considering--

"(A) the comprehensiveness of the project, including the types of students, schools, programs, and activities to be included;

"(B) the extent to which the provisions for which waivers are sought impede educational improvement;

"(C) the State and local requirements that will be waived for the project;

"(D) the significance and feasibility of the proposed project's goals for each participating school or site; and

"(E) the quality of the plan for ensuring accountability for the proposed plan's activities and goals.

"(2) The Secretary shall consult with the heads of other appropriate Federal agencies, if any, in determining whether to approve a project. Each such agency head shall notify the Secretary of any waivers granted by such agency head as part of such project.

"(e) ALLOCATION OF FEDERAL FUNDS; RESTRICTION ON WAIVERS.--(1) Federal funds under any program that are used to support a project under this section shall be allocated to States and other recipients in accordance with the statutory and regulatory requirements that govern the operation of that program, except that, for the purpose of such a project, the Secretary (or the

head of any other Federal agency) may extend the duration of, and provide continuation funding to, a project chosen on a competitive basis that a participating agency is conducting before the project under this section commences.

"(2) Neither the Secretary nor the head of any other Federal agency shall waive under this section any statutory or regulatory requirement in awarding a new competitive grant to a State educational agency, local educational agency, or other applicant participating in a project under this section.

"(3) Neither the Secretary nor, where applicable, the head of any other Federal agency shall waive under this section any statutory or regulatory requirement--

"(A) relating to--

"(i) maintenance of effort;

"(ii) comparability; or

"(iii) the equitable participation of students attending private schools;

"(B) under section 438 or 439 of the General Education Provisions Act;

"(C) under title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, title IX of the Education Amendments of 1972, or the Age Discrimination Act of 1975; or

"(D) under the Individuals with Disabilities Education Act--

"(i) relating to the availability of a free

appropriate public education to children with disabilities (including the evaluation and placement of such children), or the procedural safeguards afforded such children and their parents, under part B thereof; or

"(ii) relating to the provision of early intervention services to infants and toddlers with disabilities, or the procedural safeguards afforded such infants and toddlers and their parents, under part H thereof.

"(f) REPORTS AND EVALUATIONS. --(1) Each project shall submit, no later than 90 days after the end of each year of the project, an annual report to the Secretary that--

"(A) summarizes the principal activities of the project;

"(B) contains school-by-school and other data, as described in the project plan, that show the extent to which the project is meeting its overall goals, including its goals for improving the achievement of all participants, particularly disadvantaged individuals, with respect to achievement in basic and advanced skills, and is meeting the goals for each school or other site;

"(C) describes the impact of the project on disadvantaged children in schools, if any, that are not participating in the demonstration; and

"(D) describes the effectiveness of efforts to coordinate programs and services for children and their families as appropriate.

"(2) The Secretary shall submit a report to the Congress every two years that summarizes and analyzes the project reports required by paragraph (1).

"(3) At the end of the 5-year period described in this section, and at such interim points as the Secretary deems appropriate, the Secretary shall report to the Congress on the evaluation of this section by the Department of Education and other affected Federal agencies. Such reports may include recommendations for amendments to program statutes that are based on the experience of projects that successfully raise educational achievement by eliminating or modifying statutory or regulatory provisions that impede educational improvement.

"(g) DEFINITION.--For the purpose of this section, the term 'disadvantaged students' includes students of limited English proficiency, children with disabilities, students who are currently or formerly migratory, and students who are educationally deprived.

"(h) BUDGET NEUTRALITY.--The authority provided by this section shall not be exercised in a manner that, for any fiscal year, increases total obligations or outlays of discretionary appropriations for programs subject to such authority, or that increases total obligations or outlays of funding for all direct-spending programs subject to such authority over those that would have occurred absent such authority.".

PART B -- AMENDMENTS TO CHAPTER 2

ALLOCATION TO LOCAL EDUCATIONAL AGENCIES

SEC. 411. Section 1512(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "not less than 80 percent" and inserting in lieu thereof "50 percent".

STATE USES OF FUNDS

SEC. 412. Section 1521(b) of the Elementary and Secondary Education Act of 1965 is amended--

(1) in paragraph (1), by striking out "25 percent" and inserting in lieu thereof "10 percent"; and

(2) in paragraph (2)(A), by striking out "20 percent" and inserting in lieu thereof "8 percent".

STATE APPLICATIONS

SEC. 413. Section 1522(a) of the Elementary and Secondary Education Act of 1965 is amended--

(1) by submitting a comma and "approved by the Governor," after "an application"; and

(2) in paragraph (2), in the text following subparagraph (I), by striking out "(not to exceed 20 percent of the amount of the State's allotment)".

LOCAL USES OF FUNDS

SEC. 414. Section 1531(b) of the Elementary and Secondary Education Act of 1965 is amended--

(1) by redesignating paragraphs (1) through (6) as

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paragraphs (2) through (7), respectively; and

(2) by inserting before paragraph (2), as so redesignated, a new paragraph (1) to read as follows:

"(1) educational choice programs;".

AUTHORIZED ACTIVITIES

SEC. 415. Section 1532(a) of the Elementary and Secondary Education Act of 1965 is amended--

(1) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively; and

(2) by inserting before paragraph (2), as so redesignated, a new paragraph (1) to read as follows:

"(1) any activities or expenses directly related to planning, implementing, operating, evaluating, and disseminating information about, the local educational agency's educational choice program, if any, including expenses of parents and children resulting from their participation in such program, to the extent otherwise permitted by law;".

TITLE V -- PARENTAL CHOICE OF SCHOOLS

PART A -- FINDINGS

SEC. 501. The Congress finds that--

(1) parental choice in education creates market-based accountability, encourages school diversity and competition, and provides parents and their children with a sense of investment in their schools;

(2) economically disadvantaged children deserve the same educational choices, both public and private, as their more advantaged peers;

(3) educational choice programs and programs of compensatory education assisted under part A of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 should be coordinated with, and be carried out so as to enhance, each other;

(4) local implementation of programs that enhance student and parental choice deserves national support and encouragement; and

(5) different methods for expanding educational choice should be tested and evaluated.

PART B -- PARENTAL CHOICE AND CHAPTER 1

CHAPTER 1 SERVICES FOR CHILDREN PARTICIPATING IN EDUCATIONAL CHOICE PROGRAMS

SEC. 511. (a) Subpart 2 of part A of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof a new section 1022 to read as follows:

"CHILDREN PARTICIPATING IN EDUCATIONAL CHOICE PROGRAMS

"SEC. 1022. (a) SERVICES TO FOLLOW THE CHILD--Notwithstanding any other provision of this chapter, a local educational agency that is carrying out an educational choice program shall, in accordance with this section, make available supplementary compensatory education services, paid for under this part, to each child residing in such agency who is afforded the opportunity to participate in that program and who, in the absence of the choice program, would receive services from that agency under this part.

"(b) FUNDS TO PARENTS.--(1) If the local educational agency determines that it is not feasible or efficient to make such services available to such a child directly or through arrangements with other service providers, it shall provide to the parents of such child a per-child share of funds received by such agency under subpart 1 of this part for the applicable fiscal year.

"(2) As used in paragraph (1), a 'per-child share' means--

"(A) the total amount of funds received by the local educational agency under subpart 1 of this part for the applicable fiscal year, minus amounts spent on administrative expenses including transportation provided under section 1011(a)(4); divided by

"(B) the number of children selected by such agency to receive services under this part.

"(3) Parents may use funds received from a local educational agency under paragraph (1) only for either or both of the following--

"(A) to purchase supplementary compensatory education services that meet the special educational needs of the parents' eligible child, as identified by the local educational agency, from any elementary or secondary school, or any other public or private agency, organization, or institution that the local educational agency determines is able to provide appropriate and effective supplementary compensatory educational services to the child; and

"(B) for the costs of transportation related to the child's participation in the educational choice program.

"(4) Payments received by parents under paragraph (1) are not income for Federal income tax purposes.

"(c) APPLICATION BY LOCAL EDUCATIONAL AGENCY.--Each local educational agency subject to this section shall include in its application under section 1012--

"(1) a description of its policies and procedures for

carrying out this section;

"(2) an assurance that it will keep such records and provide such information to the State educational agency relating to the provision of funds to parents under subsection (b) as may be required for fiscal audit and program compliance; and

"(3) an assurance that it will exercise due diligence to--

"(A) ensure that payments made to parents under subsection (b)(1) will be used only for the purposes authorized by subsection (b)(3); and

"(B) recover such payments that are not so used.".

(b) Section 1011(a) of the ESEA is amended by adding at the end thereof a new paragraph (4) to read as follows:

"(4) A local educational agency may use funds received under this chapter for the additional transportation costs of children receiving services under this part who are participating in an educational choice program.".

PARENTAL INVOLVEMENT

SEC. 512. Section 1016(c) of the Elementary and Secondary Education Act of 1965 is amended--

(1) in paragraph (2), by adding the following sentence at the end thereof: "If the local educational agency is carrying out an educational choice program, representatives of such agency shall explain the availability of compensatory education services under the various available options."; and

(2) by adding at the end thereof a new paragraph (7) to read as follows:

"(7) Each local educational agency that is implementing an educational choice program shall provide an explanation in writing, and in such other manner as may be appropriate, to the parents of each eligible child selected to participate in the agency's program under this part of the options available to them under the educational choice program and this part.".

DEFINITION

SEC. 513. Section 1471 of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof a new paragraph (24) to read as follows:

"(24) The term 'educational choice program' means a program, including a desegregation plan, adopted by a State educational agency or a local educational agency under which parents select the school in which their children will be enrolled.".

PART C -- ASSISTANCE FOR PARENTAL CHOICE PROGRAMS

PROGRAM AUTHORIZED

SEC. 521. The Secretary shall make grants, in accordance with this part, to local educational agencies that carry out educational choice programs.

AUTHORIZATION OF APPROPRIATIONS

SEC. 522. For the purpose of carrying out this part, there are authorized to be appropriated $200 million for fiscal year 1992, and such sums as may be needed for each of the four succeeding fiscal years.

ELIGIBILITY

SEC. 523. (a) A local educational agency is eligible for a grant under this part if it will carry out an educational choice program during the year for which assistance is sought and carried out such a program during the preceding year.

(b) For the purpose of this part, an "educational choice program" is a program adopted by a State or by a local educational agency under which--

(1) parents select the school, including private schools, in which their children will be enrolled; and

(2) sufficient financial support is provided to enable a significant number or percentage of parents to enroll their children in a variety of schools and educational programs, including private schools.

ALLOCATION OF APPROPRIATIONS

SEC. 524. (a) From the amount appropriated under section 522 for any fiscal year, the Secretary shall allot, to each eligible local educational agency whose application for a grant under this part has been approved, an amount that bears the same ratio to such amount as the amount allocated to such agency under sections 1005 and 1006 of the Elementary and Secondary Education Act of 1965 for the previous fiscal year bears to the amounts so allocated to all such eligible agencies whose applications have been approved.

(b) No local educational agency's allotment shall exceed--

(1) the average per pupil expenditure of all local educational agencies in the State for the most recent fiscal year for which satisfactory data are available to the Secretary; multiplied by

(2) the number of children afforded the opportunity to participate in the educational choice program in the year preceding the year for which assistance is sought.

(c) Any funds appropriated under this part for any fiscal year that exceed the amounts that can be awarded under this section shall be returned to the Treasury.

AUTHORIZED ACTIVITIES

SEC. 525. (a) Each local educational agency that receives funds under this part may use those funds only for educational services provided to the students of such agency and for parental involvement activities, except that such services and activities

must be in addition to services and activities that would otherwise be provided from State or local funds.

(b) A local educational agency may not use funds received under this part for general administrative expenses.

APPLICATIONS

SEC. 526. (a) Each local educational agency that wishes to receive a grant under this part shall submit an application to the Secretary, covering a period of one year, at such time and in such manner as the Secretary may prescribe.

(b) Each such application shall contain--

(1) a description of the educational choice program carried out in the year preceding the year for which assistance is sought, and to be carried out in the year for which assistance is sought, in sufficient detail for the Secretary to determine whether the agency is eligible under this part; and

(2) such other assurances and information as the Secretary may require.

(c) Before finally deciding not to approve a local educational agency's application under this part, the Secretary shall--

(1) provide a written explanation to such agency; and

(2) afford such agency a reasonable opportunity to respond.

PART D -- PARENTAL CHOICE PROGRAMS OF NATIONAL SIGNIFICANCE

PROGRAM AUTHORIZED

SEC. 531. The Secretary shall make grants, in accordance with this part, to State educational agencies, local educational agencies, and other agencies, institutions, and organizations to conduct and demonstrate nationally significant model programs of educational choice.

AUTHORIZATION OF APPROPRIATIONS

SEC. 532. (a) For the purpose of carrying out this part, there are authorized to be appropriated $30 million for fiscal year 1992 and such sums as may be needed for each of the four succeeding fiscal years.

(b) From the amount appropriated under subsection (a) for any fiscal year, the Secretary may set aside up to five percent for evaluation of, and dissemination of information about, educational choice programs assisted under this part.

ANNUAL COMPETITION

SEC. 533. In any fiscal year for which funds are available to make new awards, the Secretary shall announce the approaches to educational choice that will be considered for funding under this part. An application for assistance may be considered only if it complies with such announcement.

APPLICATIONS

SEC. 534. (a) Each agency, institution, or organization

that wishes to receive a grant under this part shall submit an application to the Secretary, at such time, in such manner, and containing such assurances and information as the Secretary may prescribe.

(b) Each application under this part shall be for a period of up to five years.

AUTHORIZED ACTIVITIES

SEC. 535. (a) Each recipient of a grant under this part shall use the grant funds only for activities directly related to planning, implementing, operating, anu evaluating, and disseminating information about, the educational choice demonstration program funded under this part.

(b) Such funds may be used, to the extent otherwise permitted by law, to meet expenses of parents and children resulting from their participation in such program.

EXPERT ADVICE

SEC. 536. The Secretary shall consult with educational practitioners with experience with educational choice programs, individuals with expert knowledge and experience in the area of educational choice, and other interested individuals, including parents, in determining which approaches to educational choice to support under, and in otherwise carrying out, this part.

DEFINITION

SEC. 537. For the purpose of this part, an "educational choice program" is a program adopted by a State or by a local

educational agency under which parents select the school in which their children will be enrolled and that complies with the annual announcement under section 533.

TITLE VI -- NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS

NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS

SEC. 601. Section 406 of the General Education Provisions Act is amended--

(1) by amending subsection (f)(1) to read as follows:

"(1) There are authorized to be appropriated for the purposes of this section $86,160,000 for fiscal year 1992, and such sums as may be necessary for each of the four succeeding fiscal years.";

(2) in subsection (i)--

(A) in paragraph (2)(A)--

(i) by amending the first sentence to read as follows: "The National Assessment shall provide a fair and accurate presentation of educational achievement in skills, abilities, and knowledge in reading, writing, mathematics, science, history, and geography, and in other areas specified by the Board, and shall use sampling techniques that produce data that are representative on a national and on a State basis for those States that choose to participate.";

(ii) by amending clause (i) to read as follows:

"(i) collect and report data on a periodic basis, but at least once every four years in reading, writing, mathematics, science, history, and geography;"; and

(iii) in clause (ii), by striking out "every 2 years" and inserting in lieu thereof "annually";

(B) by striking out paragraph (2)(B);

(C) in paragraph (4)(B)(i), by striking out "and that information with respect to individual schools";

(D) by striking out paragraph (4)(C); and

(E) by amending paragraphs (8)(B) and (C) to read as follows:

"(B) Participation in assessments made on a State basis shall be voluntary. The Secretary shall enter into an agreement with any State that desires to carry out an assessment for the State under this subsection. Each such agreement shall contain assurances that the State will--

"(i) participate in the Assessment;

"(ii) perform the functions of conducting the Assessment at the school level for all schools in the State sample and coordinating within the State, subject to subparagraph (C);

"(iii) pay from non-Federal sources the minimum State contribution required in subparagraph (C)(i); and

"(iv) comply with the terms and conditions specified in subsection (i)(2)(C)(iv).

"(C)(i) The minimum State contribution for participation in the State assessments for each fiscal year shall be $100,000, which the State may meet by in-kind contributions, fairly valued.

"(ii) The Secretary shall pay the State for the cost, in excess of the minimum State contribution, of

conducting the Assessment at the school level for all schools in the State sample and for the cost of coordination within the State an amount that shall be identified in the agreement reached under subparagraph (B), that shall be the product of the total number of hours of work and training of school staff the Secretary estimates is required to conduct the Assessment at the school level and the total number of hours of work of State staff the Secretary estimates is required to coordinate the Assessment within the State multiplied by a daily rate of pay, as determined by the Secretary.".

TITLE VII -- NATIONAL COMMISSION ON TIME, STUDY, LEARNING, AND TEACHING

SEC. 701. (a) ESTABLISHMENT.--There is hereby established a National Commission on Time, Study, Learning, and Teaching (here after in this title referred to as the "Commission").

(b) MEMBERSHIP OF THE COMMISSION.--(1) IN GENERAL.--The Commission shall consist of 15 members appointed by the President. The President shall give serious consideration to appointing three members recommended by the Speaker of the House of Representatives in consultation with the Minority Leader of the House of Representatives; and to appointing three members recommended by the President pro tempore of the Senate upon the recommendations of the Majority Leader and the Minority Leader of the Senate.

(2) REQUIREMENTS.--(A) Members of the Commission shall be appointed on the basis of exceptional education, training, or experience from among--

(i) the Nation's Governors;

(ii) individuals from the business community;

(iii) representatives of nonprofit organizations or foundations committed to the improvement of American education;

(iv) individuals who are engaged in the profession of teaching;

(v) individuals engaged in school administration, members of school boards, and parents or representatives of parents or parent organizations;

(vi) State officials directly responsible for education;

(vii) Federal officials responsible for education policy; and

(viii) educational researchers with experience relevant to the Commission's work.

(3) VACANCIES.--A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment was made.

(4) TERMS.--Members of the Commission shall be appointed to serve at the pleasure of the President.

(5) COMPENSATION.--Each member of the Commission shall serve without compensation, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, when engaged in the performance of Commission duties.

(6) ACTIVITY OF COMMISSION.--The Commission may begin to carry out its duties under this subsection when at least seven members of the Commission have been appointed.

(c) FUNCTIONS OF THE COMMISSION.--(1) STUDY.--The

Commission shall examine the quality and adequacy of the study and learning time of elementary and secondary students in the United States in an era when World Class Standards of achievement need to be met, including issues regarding the length of the school day and year, the extent and role of homework, how time is currently being used for academic subjects, year-round professional opportunities for teachers, and the use of school facilities for extended learning programs.

(2) REPORT.--The Commission shall submit a final report under subsection (d). The report shall include an analysis and recommendations concerning--

(A) the length of the academic day and the academic year in elementary and secondary schools throughout the United States and in schools of other nations;

(B) the time children spend in school learning the five core subjects of English, mathematics, science, history, and geography;

(C) the use of incentives for students to increase their educational achievement in available instructional time;

(D) how children spend the 91 percent of their time that is outside school, with particular attention to how much of that time can be considered "learning time" and how out-of-school activities affect intellectual development;

(E) the time children spend on homework, how much of that time is spent on the core curriculum subjects, the

importance that parents and teachers attach to homework, and the extent to which homework contributes to student learning;

(F) year-round professional opportunities for teachers and how teachers can use their time to acquire knowledge and skills that will permit them to improve their performance and help raise the status of the profession;

(G) how school facilities are used for extended learning programs;

(H) the appropriate number of hours per day and days per year of instruction for United States elementary and secondary schools; and

(I) if appropriate, a model plan for adopting a longer academic day and academic year for use by United States elementary and secondary schools by the end of this decade, including recommendations regarding mechanisms to assist States, school districts, schools, and parents in making the transition from the current academic day and year to an academic day and year of a longer duration.

(d) COMMISSION REPORT.--Not later than one year after the Commission concludes its first meeting, the Commission shall submit a report to the President and the Congress on the study and any recommendations required pursuant to this section.

(e) POWERS OF THE COMMISSION.--(1) HEARINGS.--The Commission may, for the purpose of carrying out this section, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission

considers appropriate.

(2) TESTIMONY; PUBLIC HEARINGS.--In carrying out this section, the Commission may receive testimony and conduct public hearings in different geographic areas of the country, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public regarding the quality and adequacy of American students' study and learning time in an era when World Class Standards of achievement need to be met.

(3) INFORMATION.--The Commission may secure directly from any Federal agency such information, relevant to its functions, as may be necessary to enable the Commission to carry out this section. Upon request of the Chairman of the Commission, the head of the agency shall, to the extent permitted by law, furnish such information to the Commission.

(4) GIFTS.--The Commission may accept, use, and dispose of gifts or donations of money, services, or property, both real and personal, for the purpose of aiding the work of the Commission.

(5) USE OF MAILS.--The Commission may use the United States mails in the same manner and under the same conditions as the departments and agencies of the United States.

(6) SUPPORT SERVICES.--The Secretary shall provide to the Commission on a reimbursable basis such reasonable administrative and support services as the Commission may request.

(f) ADMINISTRATIVE PROVISIONS.--(1) MEETINGS.--The

Commission shall meet on a regular basis, as necessary, at the call of the Chairman or a majority of its members.

(2) QUORUM.--A majority of the members of the Commission shall constitute a quorum for the transaction of business.

(3) CHAIRMAN AND VICE CHAIRMAN.--(A) The Chairman and Vice Chairman of the Commission shall be elected by and from the members of the Commission.

(B) The Commission shall appoint a staff director, who shall be paid at a rate not to exceed the maximum rate of basic pay under section 5376 of title 5, United States Code, and such professional and clerical personnel as may be reasonable and necessary to enable the Commission to carry out its functions without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, or of any other provision of law, relating to classification and General Schedule pay rates.

(4) OTHER FEDERAL PERSONNEL.--Upon request of the Chairman of the Commission, the head of any Federal agency is authorized to detail, with or without reimbursement, any personnel of such agency to the Commission to assist the Commission in carrying out its duties under this section. Such detail shall be without interruption or loss of civil service status or privilege.

(g) TERMINATION OF THE COMMISSION.--The Commission shall

terminate 90 days after submitting the final report required by subsection (d).

(h) AUTHORIZATION OF APPROPRIATIONS.--There are authorized to be appropriated a total of $1,000,000 for fiscal years 1991 and 1992 to carry out this title.

TITLE VIII -- REGIONAL LITERACY RESOURCE CENTERS

REGIONAL LITERACY RESOURCE CENTERS

SEC. 801. Part B of the Adult Education Act (20 U.S.C. 1203 et seq.) is amended--

(1) by redesignating subpart 7 as subpart 8; and

(2) by inserting after subpart 6 the following:

"SUBPART 7 -- REGIONAL LITERACY RESOURCE CENTERS

"REGIONAL LITERACY RESOURCE CENTERS

"SEC. 356. (a) PURPOSE.--It is the purpose of this section to assist State and local public and private nonprofit efforts to improve literacy through a program of regional literacy resource center grants to--

"(1) stimulate the coordination of literacy services;

"(2) enhance the capacity of State and local organizations to provide literacy services.

"(b) REGIONAL RESOURCE CENTERS.--The Secretary, from funds available for this subpart, shall make grants to or enter into contracts with, State educational agencies, local educational agencies, State offices on literacy, volunteer organizations, community-based organizations, institutions of higher education, or other nonprofit entities to operate regional literacy resource centers in such regions of the United States as the Secretary determines are appropriate.

"(c) USE OF FUNDS.--Funds awarded under subsection (b) to carry out this section shall be used to conduct such activities

as--

"(1) improving and promoting the dissemination and adoption of teaching methods, technologies, and program evaluations;

"(2) developing innovative approaches to the coordination of literacy services within and among States and with the Federal Government;

"(3) assisting public and private agencies in coordinating the delivery of literacy services;

"(4) encouraging government and industry partnerships, including partnerships with small businesses, private nonprofit organizations, and community-based organizations for the delivery of literacy services;

"(5) encouraging innovation and experimentation in literacy activities that will enhance the delivery of literacy services and address emerging problems;

"(6) providing technical assistance to State and local governments and service providers to improve literacy programs and access to such programs; and

"(7) providing training and technical assistance to literacy instructors in reading instruction and in--

"(A) selecting and making the most effective use of methodologies, instructional materials, and technologies such as--

"(i) computer-assisted instruction;

"(ii) video tapes;

"(iii) interactive systems; and

"(iv) data link systems; or

"(B) assessing learning styles, screening for learning disabilities, and providing individualized remedial reading instruction.

"(d) APPLICATIONS.--Each entity that desires to receive an award under this section for a regional adult literacy resource center shall submit to the Secretary an application that describes how the applicant will--

"(1) develop a literacy resource center or expand an existing literacy resource center;

"(2) provide services and activities with the assistance provided under this section;

"(3) ensure access to services of the center for the maximum participation of all public and private programs and organizations providing or seeking to provide basic skills instruction, including local educational agencies, agencies responsible for corrections education, service delivery areas under the Job Training Partnership Act, welfare agencies, labor organizations, businesses, volunteer groups, and community-based organizations;

"(4) develop procedures for the coordination of literacy activities conducted within the States of the region by public and private organizations, and for enhancing the systems of service delivery;

"(5) secure approval of the Governors of each State in

the region, to ensure that the regional literacy resource center serves the needs of the State, as identified in the four-year plan developed under section 342 of this Act;

"(6) evaluate the effectiveness of the services and activities supported by the center, including the provision of such information as the Secretary may require; and

"(7) meet the cost-sharing requirements of subsection (e).

"(e) PAYMENTS; FEDERAL SHARE.--(1) The Secretary shall pay to each entity having an application approved pursuant to subsection (d) the Federal share of the cost of the activities described in the application.

"(2) The Federal share--

"(A) for each of the first 2 fiscal years in which the applicant receives funds under this section shall not exceed 80 percent;

"(B) for each of the third and fourth fiscal years in which the applicant receives funds under this section shall not exceed 70 percent; and

"(C) for the fifth fiscal year in which the applicant receives funds under this section shall not exceed 60 percent.

"(3) The non-Federal share of payments under this section may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

"(h) AUTHORIZATION OF APPROPRIATIONS.--There are authorized

to be appropriated to carry out the provisions of this section $5,000,000 for fiscal year 1992, and such sums as may be necessary for each of the four succeeding fiscal years.".

TITLE IX -- GENERAL PROVISIONS

DEFINITIONS

SEC. 901. Except as otherwise provided as used in this Act--

(1) the terms "elementary school", "local educational agency", "secondary school", and "State educational agency" have the meanings given them in section 1471 of the Elementary and Secondary Education Act of 1965;

(2) the term "Governor" means the chief executive of each State;

(3) the term "Secretary" means the Secretary of Education; and

(4) the term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Islands, and Palau (until the effective date of the Compact of Free Association with the Government of Palau).

INSULAR AREAS

SEC. 902. The provisions of Public Law 95-134, permitting the consolidation of grants to the Insular Areas, shall not apply to funds received by such area under this Act.

EFFECTIVE DATE

SEC. 903. This Act shall take effect on enactment.

# # #

AMERICA 2000 EXCELLENCE IN EDUCATION ACT
Section-by-Section Analysis

Section 2. Section 2 provides a table of contents for the bill.

Section 3. Section 3 of the bill would set out congressional findings, in support of the bill, that: (1) eight years after the report of the National Commission on Excellence in Education, the Nation's schools have yet to show significant improvement; (2) the educational reforms of the 1980's were too slow and too timid; a bolder and more comprehensive effort that involves the citizens of every American community is needed; (3) the Federal Government should provide start-up funding to communities across the country to create their own high-performance New American Schools, schools where all students meet World Class Standards; (4) rewards for schools in which students make significant gains in learning can spur improvements in all schools; (5) teachers and school leaders in every State should receive the additional training they need to deliver capable instruction in the five core academic disciplines and to provide strong instructional leadership to their schools; (6) new approaches to training and certifying teachers and principals would expand the pool of talent from which schools draw professional staff and would enable talented, qualified individuals who do not possess traditional credentials to enter teaching and the principalship; (7) greater flexibility and accountability at the school site can enable educators to improve learning for all students; (8) expanding parental choice among schools can help all schools to improve; (9) an expanded National Assessment of Educational Progress can be used to provide clear and comparable information on the progress of States, school districts, and schools toward attainment of the National Education Goals; (10) Americans need to know how much time their children should spend learning, and how that time should be used, in order for those children to develop the intellectual competencies necessary for a productive workforce and an enlightened citizenry; and (11) better coordination of adult literacy services, and access by service providers to information about the best practices in the field of literacy, will assist the Nation in meeting the goal that every adult American be literate by the year 2000; and (12) therefore, national progress toward attainment of the National Education Goals by the year 2000 can be assisted by the Federal Government through initiatives that address these findings.

TITLE I -- NEW AMERICAN SCHOOLS

Section 101. Section 101 of the bill would establish the following congressional findings: First, many American elementary and secondary schools are structured according to models that are outmoded and ineffective; rely on notions about

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pedagogy, management, technology, staffing, and other resources that may be outdated or insufficient for the challenges of the next century; and are unsuccessful at equipping the majority of students with the knowledge and skills needed to succeed as citizens and in the workplace. Second, new approaches to elementary and secondary education are needed. Without major reforms in elementary and secondary schools, the United States will lose its ability to compete fully and successfully in the world economy. Third, although educational change must take place school by school, experience shows that the schools, on their own, will not alter themselves radically. Fourth, there is an appropriate Federal role in providing seed money for the establishment of new types of schools in communities across the country. Fifth, the Nation is embarking on a major effort to support the invention of radically better forms of schooling, and to establish a network of American communities whose citizens are dedicated to the improvement of education.

Section 102. Section 102(1) of the bill states that the purpose of Title I of the bill is to support the creation of new schools across the country -- schools that reflect the best thinking about teaching and learning, employ the highest-quality instructional materials and technologies, and are designed to meet the National Education Goals, as well as the particular needs of their students and communities.

Section 102(2) states that, in order to carry out this purpose, Title I authorizes financial assistance for New American Schools in communities that have been designated "AMERICA 2000 Communities".

Section 103. Section 103(a) of the bill would authorize the Secretary to reserve up to a total of $3 million from the amounts appropriated under section 109 for fiscal years 1992, 1993, and 1994, for a national program evaluation of New American Schools.

Section 103(b) of the bill would direct the Secretary to allocate the remaining funds among the several States in proportion to the size of their congressional delegations, including Senators, Representatives, and Delegates. (For this purpose, the Commonwealth of the Northern Mariana Islands and Palau would each be treated as if it had one member of Congress.) The Secretary would proportionately reduce a State's allocation, and increase the allocation of all other States, if a congressional district in the State did not contain a community that has been designated an AMERICA 2000 Community, or if there are fewer such communities than members of Congress from that State.

Section 104. Section 104 would provide that, for a State to qualify for its allocation under this program, the Governor would submit an application to the Secretary. The application would include: (1) a description of the process the Governor has used, in accordance with section 105, to nominate communities to create New American Schools; (2) a list of the communities nominated by the Governor, and the name of the agency, institution, or organization designated by the Governor to receive a New American School grant on behalf of each such community; (3) copies of the plans, prepared by each community nominated by the Governor for funding under this part, for establishing and operating a New American School; (4) an identification of non-Federal resources that will be available to establish and operate each New American School in the State.

Section 105. Section 105 of the bill describes how communities would be selected to create New American Schools. In general, the Secretary would approve communities from among those nominated by the Governors. Under section 105(a), each Governor would nominate, from communities that the Governor has previously designated as AMERICA 2000 Communities in accordance with the President's AMERICA 2000 initiative, communities within the State to create New American Schools. As provided in section 105(b), the Governor would nominate at least as many communities as there are members in the State's congressional delegation, including at least one community in each congressional district in the State. Section 105(c) would require that the Governor base these nominations on criteria established by the Secretary with the advice of a panel of experts to be established under section 107. At a minimum, these criteria would include the level of commitment and activity displayed by the community through its participation in the AMERICA 2000 Communities initiative; the need for new and innovative educational programs in the schools of the community; and the quality of the application submitted by the applicant to the Governor.

Under section 105(d)(1) the Secretary, with the advice of the panel of experts established under section 107, would approve some or all of the communities nominated by each Governor, and the agencies, institutions, and organizations designated by the Governor to receive New American School grants on behalf of those communities, based on the Secretary's determination that such approval would be fully consistent with the purpose and requirements of this part. Section 105(d)(2) would obligate the Secretary to ensure that, to the extent consistent with the approval process described in paragraph (1), a New American School is created in each congressional district, and that there are as many such schools created in the State as there are

members in the State's congressional delegation. The Secretary would also ensure that communities with high concentrations of children from low-income families in each State receive an equitable share of New American School awards.

Finally, section 105(e) would clarify that a Governor may nominate additional communities or recipients if the Secretary does not approve one or more of the Governor's nominees, if an approved community or recipient subsequently withdraws from the program, or if the Secretary determines that the community or recipient is unable to successfully carry out its project, or is not making satisfactory progress in carrying out its project.

Section 106. Section 106(a) would direct the Secretary to make grants for New American Schools to agencies, organizations, and institutions selected by the Secretary under section 105(d). Each such recipient would receive funds in a total amount determined by the Secretary after consultation with the Governor, with a maximum award of $1 million. Finally, the Secretary would consider the expected student enrollment in each New American School in setting award amounts.

Section 106(b) would encourage the recipient of each New American School award to adapt and implement one or more New American School designs developed by research and development teams funded by the New American Schools Development Corporation.

Under section 106(c), program funds could be used only to meet the special start-up costs associated with the creation and establishment of a New American School, including planning, curriculum development, and curriculum adaptation; training of teachers, administrators, and other staff, as well as parents and members of the community who are involved with the school; purchase of equipment and materials; minor renovation and remodeling of facilities; and to obtain the assistance of outside experts, including one or more of the research and development teams referred to in section 106(b) in adopting one or more of the designs developed by those teams to the needs of the individual community and school. Program funds could not be used for construction or for the grantee's general administrative expenses.

Section 106(d) would require that each New American School have obtained State recognition or accreditation, as necessary, and be fully operating by the start of the 1996-1997 school year.

Section 107. Section 107 of the bill would direct the Secretary, within 90 days of the bill's enactment, to convene an expert panel of educators, representatives of private business, and public representatives to advise on the administration of the New American Schools program. Among other topics, the Panel would advise the Secretary on the criteria to be used by the Governors to nominate communities for New American Schools and the approval by the Secretary of communities nominated by Governors to establish New American Schools and of the agencies, institutions, and organizations named to establish those schools.

Section 108. Section 108 of the bill would direct the Secretary to conduct a national evaluation of the impact of the New American Schools program on schools and communities, and on education generally. The Secretary would be required to submit such interim evaluation reports to the President and the Congress as may be appropriate, and a final report by September 30, 1988.

Section 109. Section 109 of the bill would authorize appropriations in the following amounts for the New American Schools program: $180 million for fiscal year 1992, $180 million for fiscal year 1993, and $185 million for fiscal year 1994. These funds would remain available for obligation by the Secretary for two fiscal years beyond the fiscal year for which they are appropriated, so that Governors will have substantial flexibility in deciding when to establish and support New American Schools.

Section 110. Section 110 of the bill would define the term "community" for purposes of the New American Schools program, as: (1) a unit of general purpose local government, such as a city, township, or village; (2) a geographically distinct area, such as a school district, school attendance area, ward, precinct, or neighborhood; or (3) an identifiable group of individuals, such as the members of a service organization, who generally reside in a particular geographic area. "Communities" may include schools that are currently operated by the Bureau of Indian Affairs, or tribally-controlled schools, or groups of parents of Indian or Native American children who reside on Indian lands, and who create an AMERICA 2000 community in accord with the Governor's procedures. The Governor would be expected to consider such applicants in the same way he considers all other applicants.

TITLE II -- MERIT SCHOOLS

Section 201. Section 201 of the bill would set forth congressional findings and a declaration of purpose for the Merit Schools program, to be authorized by Title II. Subsection (a) would state Congress' findings that: (1) all elementary and

secondary schools should seek to attain the National Education Goals by the year 2000; (2) achievable standards of excellence can and should be set for all students and for all schools; (3) schools' progress in meeting those standards should be measured and made public; (4) financial incentives can spur schools to rise to the challenge of meeting those standards; and (5) demonstrated school-wide progress in achieving excellence, particularly in mathematics and science, deserves reward and recognition.

Subsection (b) would provide that the purpose of the Merit Schools program is to recognize and reward public and private elementary and secondary schools, including their faculty, that make documented progress in attaining the National Education Goals, particularly the goal of increasing students' mastery of the five core academic subjects.

Section 202. Section 202 of the bill would authorize $100 million for fiscal year 1992, and such sums as may be needed for each of the four succeeding fiscal years, to carry out Title II. These funds would remain available for obligation by the Secretary for two fiscal years after the fiscal year for which they were appropriated, to conform to the flexibility afforded Governors under section 205 in determining when to make Merit School awards.

Section 203. Section 203 of the bill would describe how appropriations for Title II would be allocated. Subsection (a) would authorize the Secretary to reserve up to one quarter of one percent of the appropriated amount to make grants to the outlying areas -- Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau -- for activities under the Act. The Secretary could also reserve up to two percent of each year's appropriation for evaluations and dissemination.

Subsection (b) would direct the allocation among the States of the amount remaining after the Secretary reserves funds for the outlying areas, and for evaluations and dissemination, under subsection (a). Under paragraph (1), this remaining amount would be allocated among the States on the same basis as funds are allocated for that fiscal year for Basic LEA Grants and Concentration Grants under sections 1005 and 1006 of Chapter 1 of Title I of the ESEA. Paragraph (2) would provide that the State allocation provisions apply only to the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

Section 204. Section 204(a) of the bill would require the Governor of any State that wishes to receive a Merit Schools grant to submit a three-year application, which could be followed by an application for the succeeding two years.

Subsection (b) would require that each State application contain: (1) the criteria that the Governor will use to select Merit Schools; (2) the criteria the Governor will use to determine the amount of awards; (3) an assurance that the State will carry out the program in accordance with applicable legal requirements; and (4) other information the Secretary may require.

Subsection (c) would make inapplicable certain burdensome and unnecessary application provisions of the General Education Provisions Act. This treatment of those provisions is identical to that afforded under Chapters 1 and 2 of Title I of the ESEA.

Section 205. Section 205(a) of the bill would permit each State to use up to five percent of its annual allocation for the administrative costs of carrying out the program. Subsection (b) would require each State to use at least 95 percent of its State allocation for Merit School awards in accordance with section 207, except that the Governor could, by notifying the Secretary, designate a part or all of any year's allocation to remain available for two additional years. Of the amount used for Merit Schools, the Governor would have to use at least 20 percent for awards to schools that demonstrate exceptional progress in improving students' performance in mathematics and science, in addition to meeting the national and State criteria that apply to all Merit Schools.

Section 206. Section 206(a) of the bill would require the Governor of each participating State to establish a State review panel to assist in the selection of Merit Schools. The review panel would be broadly representative of elementary and secondary school teachers and administrators, college and university faculty and administrators, parents, students, State and local boards of education, State and local governments, labor, business, and the general public.

Subsection (b) would require each Governor, within 60 days of the end of each fiscal year, to submit to the Secretary a report that: (1) identifies the schools chosen as Merit Schools; (2) states the reasons for their selection; and (3) states the amount of the award to each school. Beginning with the second year for which the State makes awards, each Governor's report would also include a brief description of the actual use of awards in the State.

Section 207. Section 207 of the bill would describe how Merit Schools are selected. Under subsection (a)(1), the Governor could designate as Merit Schools public or private elementary or secondary schools in the State that have been nominated through procedures established by the Governor. Subsection (a)(2) would require the Governor to apply the selection criteria uniformly to public and private schools.

Subsection (b) would provide that, in order to be selected as a Merit School, a school must have: (1) demonstrated progress over a period of at least three years in significantly increasing the number or percentage of students who meet the National Education Goal of leaving grades four, eight, and twelve, as applicable, having demonstrated competency in challenging subject matter, including English, mathematics, science, history, and geography; (2) utilized objective measures of progress over the period that are established by the State in its plan and approved by the Secretary; and (3) made public an annual "report card", which includes information about the progress the school is making toward achievement of relevant aspects of the National Education Goals.

Subsection (c)(1) would permit each Governor to use selection criteria in addition to those, described in subsection (b), that would apply throughout the Nation. In setting these additional criteria, the Governor could include other aspects of educational performance, including the school's progress in attaining the other National Education Goals; would have to take into account differences in the composition of the student body of different schools; would have to give special consideration to schools with substantial numbers or proportions of children from low-income families; and could set different criteria for awards for achievement in different grade levels. Subsection (c)(3) would require each Governor to develop State criteria for selecting schools to receive awards for outstanding progress in student achievement in mathematics and science, in accordance with section 205(b). Subsection (c)(4) would require the Governor, in applying the criteria to a school in which a project is conducted under Part A of Chapter 1, to consider the desired outcomes identified for children in the Chapter 1 application submitted by the local educational agency operating the school. A school that an LEA has identified under section 1021(b) of Chapter 1 during each year of the period covered by a Merit Schools competition would not be eligible for a Merit School Award. Subsection (c)(5) would prohibit a Governor from considering a school's planned use of an award, if it is otherwise permitted by law, in deciding whether to recognize it as a Merit School or in setting the amount of its award.

Subsection (d) would require each Governor to establish criteria, including criteria relating to the size of the school and the economic circumstances of the student body, for determining the amount of Merit School awards.

Subsection (e) would require the Governor of any State that is either prohibited by State law from providing Merit School funds to private schools, or that is unwilling to do so, to notify the Secretary of that prohibition or unwillingness, as well as of the private schools it has designated as Merit Schools and the amount of their awards. The Secretary would then provide those funds, from the State's allocation, to the designated private schools through such arrangements as the Secretary finds suitable. The Secretary would also withhold the administrative costs of making such arrangements from the State's allocation.

Section 208. Section 208 of the bill would allow a Merit School to use its Merit School award for activities, otherwise permitted by law, that further the educational program of the school. These activities could include: (1) development, implementation, or expansion of special programs, such as those focused on dropout prevention or reentry, student transition to college or employment, preschool children, remedial services, or gifted and talented students; (2) the purchase or lease of computers, telecommunications equipment, scientific instruments, instructional materials, library books, and other equipment and materials, except that a public agency would have to have title to, and exercise administrative control of, such equipment and materials; (3) bonus payments for faculty and administrators; (4) college scholarships for secondary school students; (5) parental involvement activities; (6) community outreach activities; and (7) helping other schools replicate its success.

Section 209. Section 209 of the Act would prohibit a Federal, State, or local agency from taking a Merit School award into account in determining whether to award any other assistance from Federal, State, or local resources, or in determining the amount of that assistance, to either the Merit School itself or the LEA, if any, that operates the school.

TITLE III -- TEACHERS AND SCHOOL LEADERS

PART A -- GOVERNORS' ACADEMIES FOR TEACHERS

Section 301. Section 301 of the bill would establish the following congressional findings: First, reform and restructuring of American education, and the Nation's ability to attain the National Education Goals, depend heavily on the quality of teaching in elementary and secondary schools,

particularly in the core academic disciplines of English, mathematics, science, history, and geography. Second, experienced teachers need access to training of exceptional quality to keep current in the core academic disciplines, participate successfully in curriculum development, and act as master teachers. Third, Governors' efforts to reform elementary and secondary education in the States should include a focus on ensuring that teachers have a firm grasp of, and keep current in, the core academic disciplines. Fourth, Governors' Academies for Teachers can be a principal vehicle for providing the kind of high-level, intensive training essential to education reform and accomplishment of the National Education Goals. Fifth, excellent teachers in the core academic subjects deserve public recognition and appropriate financial rewards in return for their efforts.

Section 302. Section 302 of the bill would state that the purposes of the program of Governors' Academies for Teachers are to: (1) build the highest quality teaching force for the Nation's schools, by providing start-up funds for Governors' Academies that teachers from public and private elementary and secondary schools may attend to obtain advanced instruction focusing on the core academic disciplines; and (2) establish awards for outstanding teachers in the academic subjects covered by the Academies.

Section 303. Section 303(a) of the bill would direct the Secretary to make a one-time, five-year grant to each State to establish and operate Governors' Academies for Teachers, and to recognize outstanding teachers. The Governor of each State would use the State's grant to make competitive awards to the State educational agency, local educational agencies, institutions of higher education, other public and private agencies and organizations, or consortia of such agencies, institutions, and organizations, to establish and operate Governors' Academies for Teachers. An Academy could be operated in cooperation or consortium with those of other States.

Section 303(b) of the bill would authorize the Secretary to reserve up to $500,000 of each year's program appropriation for evaluations of, and dissemination of information about, program activities, and direct the Secretary to reserve up to $175,000 for Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau, to be expended as the Secretary determines will best meet the purpose of this program. The Secretary would proportionately allocate the remainder of such funds to each of the 50 States, the District of Columbia, and Puerto Rico, on the basis of the full-time equivalent number of public elementary and secondary school teachers in the most

recent year for which satisfactory data are available. If the Secretary determined that any amount of a State's allotment for any fiscal would not be needed for that year by the State, the Secretary would reallot that amount to other States that need additional funds, in such manner as the Secretary determines is appropriate.

Section 304. Section 304 of the bill would require the Governor of each State wishing to receive a grant under this part to submit an application to the Secretary, for a five-year period. Each application would include: (1) a description of how the Governors' Academies planned for the State will relate to the Governor's overall plan for the reform of elementary and secondary education and the attainment of the National Education Goals in the State, including, in particular, improvement of education in the core academic subjects; (2) a description of the competitive process the Governor will use to select applicants to operate the Governors' Academies for Teachers in the State; (3) an assurance that a separate Academy will be established in each of the five course academic subjects (English, mathematics, science, history, and geography), unless the Governor determines that it would be inefficient to use funds in this manner and the application describes the Governor's reasons for establishing Academies that focus on more than one subject; (4) a description of how Academy participants will be selected; (5) a description of how the State will monitor the implementation of Governors' Academies for Teachers, including awards to teachers, and the performance of teachers who have been trained in those Academies, and an assurance that it will comply with reasonable requests of the Secretary for information on these matters; and (6) a description of how the State will meet the cost-sharing requirements of section 307 and continue to operate the Academies when Federal assistance is no longer available.

Section 305. Section 305(a) of the bill would require each Governor's Academy for Teachers to conduct a program of intensive instruction to elementary and secondary school teachers, focusing on the core academic disciplines of English, mathematics, science, history, and geography. In accordance with section 305(b), this instruction would include: (1) renewal and enhancement of participants' knowledge of one of the five core academic disciplines; (2) teaching skills and strategies needed to impart academic subject matter to students, including students who are economically disadvantaged, limited English proficient, or have disabilities, and other students from diverse backgrounds; (3) at the Academy discretion, the use of educational technologies in teaching the core academic disciplines; (4) training needed to become a lead teacher or a

master teacher in a core subject, consistent with State policies on teacher career ladders; (5) training needed to participate in curriculum development in a core subject; and (6) training in the development and use of assessment tools.

Section 305(c) would require each Academy to carry out activities consistent with the program's purpose. These activities could include review of existing teacher enhancement programs to identify the most promising approaches; development of a curriculum for use by the Academy; recruitment of teachers within the State to participate in the Academy's program; follow-up activities for previous participants; dissemination of information about the Academy, including the curricula developed; and evaluation of the impact of the Academy on the teaching practices of participants, and other evaluation activities designed to strengthen the Academy's program.

Section 305(d) would direct the Governor to allocate the State's allocation for teacher recognition under section 308(b) to each Academy in the State in the same proportion as funds to establish and operate the Academies are distributed. Each Academy would use this portion of its grant for a program of cash awards and recognition to outstanding teachers in the core academic subject or subjects covered by the Academy. Academies would select awardees from nominations submitted from a wide variety of sources, including public and private schools, teachers and teacher associations, parents and parent associations, business, and students. Any full-time teacher of a core academic subject (including an elementary school teacher in the general curriculum) in a public or private elementary or secondary school would be eligible to receive an award. Academies would select recipients in accordance with criteria developed by the Academy and approved by the Governor. Such criteria may include the success of the teacher in educating disadvantaged students; educating gifted and talented students; encouraging students to enroll and succeed in advanced classes; teaching in schools educating large numbers of disadvantaged students, including schools in low-income inner-city or rural areas; introducing a new curriculum in a core academic subject or strengthening an established curriculum in a core academic subject; or acting as a "master teacher." The amount of a teacher award could not exceed $5,000 and would be available for any purpose the recipient chooses.

Section 306. Section 306 of the bill would require each recipient under this program to use funds appropriated to establish and operate Teacher Academies to meet the reasonable start-up and initial operating costs of carrying out the

activities described in section 305, which may include stipends and travel and living expenses for teachers who participate in the Academy's program if no other funds are available to pay those costs.

Section 307. Section 307 of the bill would set the maximum percentage of an Academy's cost that could be met with program funds at 75 percent for the first year, 65 percent for the second year, 55 percent for the third year, 45 percent for the fourth year, and 35 percent for the fifth year. The remaining share would have to be provided from non-Federal sources, which could include in-kind contributions, fairly valued.

Section 308. Section 308(a) of the bill would authorize the appropriation, to establish and operate Teacher Academies, of $62.4 million for fiscal year 1992, $54.2 million for fiscal year 1993, $45.9 million for fiscal year 1994, $37.7 million for fiscal year 1995, and $29.5 million for fiscal year 1996.

Section 308(b) of the bill would authorize the appropriation, for the teacher recognition program described in section 305(d), of $7.6 million for each of the fiscal years 1992 through 1996.

PART B -- GOVERNORS' ACADEMIES FOR SCHOOL LEADERS

Section 311. Section 311 of the bill would set out the following congressional findings to support the creation of a new program of Governors' Academies for School Leaders: First, the role of the school principal and other school leaders is central to school performance, school reform, and achievement of the National Education Goals. Second, school restructuring intensifies the need for effective school leadership as it locates greater authority and responsibility at the school building level. In this context, principals and other administrators need to cultivate strong collegial relationships among teachers and staff. Third, school leaders must be well versed in the core academic disciplines, must provide instructional leadership to the teachers in their schools, and must be able to coordinate school services with those of social service agencies and other organizations in the community, including businesses, affecting students and their families. Fourth, over the next ten years, at least half of those individuals now serving as school principals will be eligible for retirement. Fifth, Governors' efforts to reform elementary and secondary education in the States must include a focus on

preparing a new generation of highly effective school leaders. Sixth, the pool of talent from which to draw school leaders can be expanded substantially with well-designed training programs.

Section 312. Section 312 of the bill would provide that the purpose of Part B of Title III of the bill is to improve the training and performance of public and private school principals and other school leaders, and increase the number of persons who are well trained and well qualified to be school leaders, by supporting the development and implementation of programs that offer: (1) for prospective school leaders, recruitment, training, and, as appropriate, internships under experienced school leaders; (2) for experienced school leaders, opportunities for professional renewal and enhancement of skills; and (3) for all participants, a focus on instructional leadership, school-based management, school reform strategies, and implementation of school-level accountability mechanisms.

Section 313. Section 313(a) of the bill would direct the Secretary to make a one-time, five-year grant to each State to establish a Governor's Academy for School Leaders. The Governor of each State would use the State's grant to make competitive awards to the SEA, LEAs, institutions of higher education, other public and private agencies and organizations, or consortia of such agencies, institutions, and organizations, to establish and operate a Governor's Academy for School Leaders. These Academies could be operated in cooperation or consortium with those of other States.

Under section 313(b) of the bill, the Secretary could reserve up to $500,000 for evaluations of, and dissemination of information about, activities conducted under this program, and would be required to reserve up to $55,000 for Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and Palau, to be expended as the Secretary determines will best meet the program's purpose. The Secretary would proportionately allocate the remainder of funds to each of the 50 States, the District of Columbia, and Puerto Rico, on the basis of the number of public elementary and secondary schools in each such jurisdiction in the most recent year for which satisfactory data are available. If the Secretary determines that any amount of a State's allotment for any fiscal year will not be needed for such fiscal year by the State, the Secretary would reallot that amount to other States that need additional funds, in such manner as the Secretary determines is appropriate.

Section 314. Section 314 of the bill would require the Governor of each State wishing to receive a grant under this program to submit an application to the Secretary for a five-year

period. Each application would have to include: (1) a description of how the Governor's Academy for School Leaders planned for the State will relate to the Governor's overall plan for the attainment of the National Education Goals and the reform of elementary and secondary education in the State, including, in particular, improvement of school leadership in the State; (2) a description of the competitive process the Governor will use to select the applicant to operate the Governor's Academy; (3) a description of how Academy participants will be selected; (4) a description of how the State will monitor the implementation of the Governor's Academy and the subsequent progress of individuals trained by the Academy, and an assurance that it will comply with reasonable requests of the Secretary for information on these matters; (5) a description of how the State will meet the cost-sharing requirements of section 317 and continue to operate the Academy when Federal assistance is no longer available; and (6) such other assurances and information as the Secretary may require.

Section 315. Section 315 of the bill would require each Governor's Academy for School Leaders to: (1) identify models and methods of leadership training and development that are promising or have proven to be successful; (2) develop curricula, which focus on instructional leadership, school-based management, and the design and execution of school improvement strategies and accountability mechanisms, for the development of school leaders; (3) identify candidates, including members of minority groups, individuals with disabilities, and individuals from schools with high numbers or concentrations of disadvantaged students, to be trained as new school leaders; (4) provide intensive training and development programs both for persons desiring and demonstrating outstanding promise to become school leaders, and for current school leaders seeking enhanced and up-to-date knowledge needed to perform their jobs effectively; (5) identify districts and schools with principal and other school leader vacancies and work with them to match academy participants with those vacancies; (6) as appropriate, facilitate internships for graduates of the program for new school leaders, under the guidance and supervision of experienced administrators; (7) provide periodic follow-up development activities for school leaders trained through the Academy's programs; (8) disseminate information about the Academy, including the training curricula developed; and (9) evaluate the impact of the Academy on the leadership practices of participants, and other evaluation activities designed to strengthen the Academy's program.

Section 316. Section 316 of the bill would require each recipient under this program to use its grant funds to meet the reasonable start-up and initial operating costs of carrying out

the activities described in section 315. These costs could include stipends, travel, and living expenses for participants in the Academy if no other funds are available to pay those costs.

Section 317. Section 317 of the bill would set the maximum percentage of an Academy's cost that could be met with program funds at 75 percent for the first year, 65 percent for the second year, 55 percent for the third year, 45 percent for the fourth year, and 35 percent for the fifth year. The remaining share would have to be provided from non-Federal sources, which could include in-kind contributions, fairly valued.

Section 318. Section 318 of the bill would authorize the appropriation, to carry out this program, of $22.5 million for fiscal year 1992, $19.5 million for fiscal year 1993, $16.5 million for fiscal year 1994, $13.5 million for fiscal year 1995, and $10.5 million for fiscal year 1996.

PART C -- ALTERNATIVE CERTIFICATION OF TEACHERS AND PRINCIPALS

Section 321. Section 321 of the bill would set out the congressional findings that: (1) effective elementary and secondary schools require competent teachers and strong leadership; (2) school systems would benefit greatly by recruitment pools of well-qualified individuals, such as scientists and engineers, from which to select teachers and principals; (3) talented professionals who have demonstrated a high level of subject area competence or management and leadership qualities outside the education profession and who wish to pursue second careers in education often do not meet traditional certification requirements; and (4) alternative certification requirements that do not exclude such individuals from teaching or school administration solely because they do not meet current certification requirements would allow school systems to take advantage of these professionals and improve the supply of well-qualified teachers and principals.

Section 322. Section 322 of the bill would establish the purpose of Part C as improving the supply of well-qualified elementary and secondary school teachers and principals by encouraging and assisting States to develop and implement alternative teacher and principal certification requirements. "Alternative teacher and principal certification requirements" would mean State requirements that permit entry into teacher and principal positions for individuals who have demonstrated a high level of appropriate subject area competence, or management or leadership qualities, in careers in or out of the education field, but who would not otherwise meet existing requirements for

teaching or supervisory experience. Such alternative certification requirements could substitute a demonstrated high level of subject area or managerial competence for traditional teacher or principal certification requirements, such as teacher training course work or supervisor experience in the education system.

Section 323. Section 323 of the bill would authorize a one-time appropriation of $25 million for fiscal year 1992.

Section 324. Section 324 of the bill would allot to each State the lesser of either the amount the State applies for or an amount that is proportional to the State's share of the total population of children aged five through seventeen in all the States. States would not be required to apply for their allotments, or the full amount of their allotments, and the Secretary would be authorized to reallocate the excess amounts to other States that demonstrate, to the satisfaction of the Secretary, a current need for the funds. Section 324 would also permit grant funds to be available for expenditure by the States for two calendar years from the date of award.

Section 325. Section 325 of the bill would require States desiring to receive funds under the part to submit an application. Such applications would be required to contain descriptions of the programs, projects, and activities to be undertaken and any necessary assurances, including assurances that grant funds will not be used to supplant State or local funds and that the State has consulted with the State or local agency that certifies teachers and principals, as well as with representatives of elementary and secondary school teachers and principals, local school systems, parents, and other interested organizations and individuals. Section 325 would exempt State applications from certain planning requirements of sections 435 and 436 of the General Education Provisions Act, except to the extent that such sections relate to fiscal control and fund accounting procedures. Section 325 would require States to submit a final report at such time as the Secretary may specify.

Section 326. Section 326 of the bill would allow States, either directly or through subgrants to local educational agencies, intermediate educational agencies, institutions of higher education, or consortia of such agencies, to use award funds to support programs, projects, or activities that develop and implement new, or expand and improve existing, alternative teacher and principal certification requirements. Section 326 would also list some programs, projects, and activities that may be funded, including design, testing, and evaluation of alternative requirements, establishment of administrative

structures, training of staff (including the development of support programs, such as mentor programs), development of recruitment strategies, and development of reciprocity agreements between or among States.

TITLE IV -- EDUCATIONAL REFORM AND FLEXIBILITY

PART A -- EDUCATIONAL REFORM THROUGH FLEXIBILITY AND ACCOUNTABILITY

Section 401. Section 401(a) of the bill would make the following findings demonstrating the need for this part: Historically, Federal education programs have addressed the Nation's most pressing educational problems by providing categorical assistance with detailed requirements relating to the use of funds. While this approach has been generally successful, some program requirements may inadvertently impede educational achievement. The Nation's schools are being asked to deal effectively with increasingly diverse educational needs that current program structures may not be flexible enough to address. In an era when educational change and reform must prevail, it is more important than ever to provide programs that improve educational outcomes for all students; promote the coordination of education and related services that benefit children and their families; respond flexibly to the needs of a diverse student population; stop the proliferation of unnecessary Federal, State, and local regulation; and place less emphasis on measuring resources and reviewing procedures and more emphasis on achieving program results.

Section 401(b) would state that the purpose of Part A of Title IV is to promote educational reform that leads to improved educational outcomes for participants in affected programs. Under this approach, the schools and other recipients of Federal funds would be held accountable for achieving specific educational improvement goals in exchange for increased flexibility in the use of their resources. This more flexible approach is intended to enable school and program administrators, teachers, parents, local agencies, and community groups to work together to develop effective education programs that lead to improved achievement and meet the needs of all participants, particularly those who are disadvantaged.

Section 402. Section 402 of the bill would carry out the purpose of Title IV-A by adding a new section 421B to the General Education Provisions Act ("GEPA"; 20 U.S.C. 1221 et seq).

Section 421B(a)(1) of GEPA would direct the Secretary of Education ("the Secretary") to assist elementary and secondary schools and other service providers to improve the achievement of all students and other participants, but particularly disadvantaged individuals, by authorizing waivers by which the Governors, SEAs, LEAs, and other service providers improve the performance of schools and programs by increasing their flexibility in the use of their resources, while holding them accountable for achieving educational gains. In support of these projects, the Secretary would be authorized to waive any statutory or regulatory requirement (except as provided in subsection (e), described below) applicable to a program administered by the Department of Education that the Secretary determines may impede the ability of a school or other service provider to meet the special needs of those students and other individuals in the most effective manner possible. The head of any other Federal agency would similarly be authorized to waive such requirements that apply to that agency's programs if the agency head and the Secretary agree that such a waiver would promote the purpose of this title.

Section 421B(a)(2) would provide that projects under this new authority, and any waivers associated with such projects, could last no longer than three years, except that the Secretary could extend a project and any associated waivers for an additional two years if the Secretary determines the project is making substantial progress toward meeting its goals. The Secretary would be required to terminate a project and its associated waivers if the Secretary, at any time, determines that it is not making acceptable progress toward meeting its goals. The head of any other agency who has granted a waiver under section 421B would determine whether to extend or terminate those waivers, but the Secretary would have exclusive authority to extend or terminate the project itself.

Subsection (b) of the new section 421B would describe the participants in eligible projects, and would impose certain restrictions on those projects. Subsection (b)(1) would require that each project that involves elementary or secondary schools include the participation of an SEA and, to ensure that it is of a meaningful size, at least one LEA and two schools. Subsection (b)(2) would require that, to the extent possible, the project involve each grade and academic program in a participating school, including programs for educationally deprived children under Part A of Chapter 1 of Title I of the Elementary and Secondary Education Act of 1965. Under subsection (b)(3), if fewer than all of an LEA's schools participate in a project, available resources, including available Federal assistance, could not be concentrated unreasonably in the participating

schools. This prohibition would help ensure that the outcomes of these projects are attributable to the removal of regulatory or statutory barriers, not to the excessive concentration of resources. Finally, subsection (b)(4) would require that each project that does not involve elementary or secondary schools involve at least two programs, including at least one program administered by the Secretary.

Subsection (c) of the new section 421B would require that an application for an experimental project be submitted by the Governor to the Secretary. Each application would have to include a plan that: (1) describes the purposes and overall expected outcomes of the project; (2) identifies, for each school or site participating in the project, those impediments to improved educational outcomes that would be removed by the proposed waivers; (3) identifies the Federal programs to be included in the project, the Federal statutory or regulatory requirements to be waived, and the purpose and duration of the requested waivers; (4) describes the State and local requirements that will be waived, the purpose of such waivers, and, if such requirements will not have been waived before the project begins, when those waivers will be obtained and take effect; and (5) describes specific, measurable, educational improvement goals for each school or other site in the project and for each year of the project. Each application for a project involving elementary or secondary schools would also identify the schools to be included in the project and describe the student population at each school; describe specific goals for enhancing coordination between the regular education program and programs serving disadvantaged students; describe the expected educational outcomes for disadvantaged students in schools that do not participate (if any), and how those outcomes will be assessed; and describe how school administrators, teachers, staff, and parents have been, or will be, involved in the planning, development, and implementation of the goals and program for each participating school.

Subsection (d)(1) of the new section 421B would direct the Secretary to approve proposed projects that have substantial promise of achieving this section's purpose, after considering (1) the comprehensiveness of the project, including the types of students, schools, programs, and activities to included; (2) the extent to which the provisions for which waivers are sought impede educational improvement; (3) the State and local requirements that will be waived for the project; (4) the significance and feasibility of the proposed projects's goals for each participating school or site; and (5) the quality of the plan for ensuring accountability for the proposed plan's activities and goals.

Subsection (d)(2) would direct the Secretary to consult with the heads of other appropriate Federal agencies, if any, in determining whether to approve a project. Each such agency head would notify the Secretary of any waivers granted by that agency.

Subsection (e) of the new section 421B would describe the allocation of Federal program funds to participating SEAs and LEAs and prohibit the Secretary from waiving certain statutory or regulatory requirements. Subsection (e)(1) would provide that Federal funds under any program that are used to support an approved project shall be allocated to the appropriate SEAs and LEAs in accordance with the statutory and regulatory requirements, such as applicable funding formulas, that govern the operation of that program, except that, for the purpose of a project under section 421B, the Secretary could extend the duration of, and provide continuation funding to, any project of that participating agency that had been chosen on a competitive basis and that the participating agency was conducting before the project under section 421B begins. Subsection (e)(2) would prohibit the Secretary from waiving statutory or regulatory requirements in awarding new competitive grants to SEAs, LEAs, or other applicants that participate in a project under section 421B. These provisions are designed to promote local flexibility in the design and operation of projects under section 421B, while ensuring that grant competitions involving participating agencies are conducted fairly and do not disadvantage applicants who are not seeking waivers under this section.

Subsection (e)(3) would prohibit the Secretary and, where applicable, the head of any other Federal agency from waiving any statutory or regulatory requirement: (1) relating to maintenance of effort, comparability, or the equitable participation of students attending private schools; (2) under section 438 (the Family Educational Rights and Privacy Act of 1974) or section 439 (protection of pupil rights) of GEPA; (3) under the nondiscrimination provisions of Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, or the Age Discrimination Act of 1975; or (4) under the Individuals with Disabilities Education Act (formerly the Education of the Handicapped Act) relating to the availability of a free appropriate public education to children with disabilities, or of early intervention services to infants and toddlers with disabilities, under Parts B and H, or the procedural safeguards afforded those children and their parents under those parts. This will ensure that the substantive rights and procedural productions afforded these children and their parents remain in force.

Subsection (f) of the new section 421B would require various program reports and evaluations. Subsection (f)(1) would require each project to submit, no later than 90 days after the end of each year of the project, an annual report to the Secretary that summarizes the principal activities of the project; contains school-by-school and other data, as described in the project plan, that show the extent to which the project is meeting its goals; describes the impact of the project on disadvantaged children in schools, if any, that are not participating in the project; and describes the effectiveness of efforts to coordinate programs and services for children and their families, as appropriate. Subsection (f)(2) would require the Secretary to submit a report to the Congress every two years that summarizes and analyzes the reports submitted by the individual projects. Subsection (f)(3) would require the Secretary to report to Congress on the evaluation of the new section 421B by the Department of Education and other affected Federal agencies after the 5-year period described in this section.

Subsection (g) of the new section 421B would define "disadvantaged students" to include students of limited English proficiency, children with disabilities, students who are currently or formerly migratory, and students who are educationally deprived.

Subsection (h) of the new section 421B would require that the new section 421B be carried out in a way that does not increase total obligations or outlays of covered programs in any fiscal year.

PART B -- AMENDMENTS TO CHAPTER 2

Part B of Title IV of the bill would amend Part A of Chapter 2 of Title I of the ESEA, which supports State and local efforts at educational improvement and reform, to foster reform projects of significant size and scope, and to promote the implementation of educational choice programs, as follows:

Section 411. Section 411 of the bill would amend section 1512(a) of the ESEA to increase from not more than 20 percent to exactly 50 percent the amount of a State's Chapter 2, Part A allocation that is to be available at the State level. This will increase the likelihood that Chapter 2 funds are used on projects of sufficient size and scope to bring about meaningful reform and improvement.

Section 412. Section 412 of the bill would amend provisions regarding the use of State-level funds under Chapter 2 by: (1) reducing, from 25 percent to 10 percent, the amount of those funds that may be used for State administration; and (2) reducing, from 20 percent to 8 percent, the proportion of those funds that must be used for effective schools programs. These revisions would mean that the percentages of the State's total allocation devoted to these purposes would remain constant, in light of the increased share of that allocation to be held at the State level under section 411 of the bill.

Section 413. Section 413 of the bill would amend the State application requirements of section 1522 of the ESEA to require the Governor's approval of each State's application and to conform to the amendments made by section 412.

Section 414. Section 414 of the bill would add educational choice programs to the categories of "targeted assistance programs" listed in section 1531(b) of the ESEA. Chapter 2 grant funds may be spent only on these types of programs.

Section 415. Section 415 of the bill would amend section 1532 of the ESEA, which describes, and gives examples of, activities that are authorized in carrying out the targeted assisted programs, to explicitly authorize any activities or expenses directly related to planning, implementing, operating, evaluating, and disseminating information about, the LEA's educational choice program. This could include expenses incurred by parents and children resulting from their participation in the program, to the extent permitted by the Establishment Clause of the First Amendment to the U.S. Constitution and other law.

TITLE V -- PARENTAL CHOICE OF SCHOOLS

PART A -- FINDINGS

Section 501. Section 501 of the bill would make the following congressional findings in support of Title V of the bill: (1) parental choice in education creates market-based accountability, encourages school diversity and competition, and provides parents and their children with a sense of investment in their schools; (2) economically disadvantaged children deserve the same educational choices, both public and private, as their more advantaged peers; (3) educational choice programs and programs of compensatory education assisted under Part A of Chapter 1 of Title I of the Elementary and Secondary Education Act of 1965 ("ESEA") should be coordinated with, and be carried out so as to enhance, each other; (4) local implementation of

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programs that enhance student and parental choice deserves national support and encouragement; and (5) different methods for expanding educational choice should be tested and evaluated.

PART B -- PARENTAL CHOICE AND CHAPTER 1

Part B of Title V of the bill would amend Chapter 1 of Title I of the ESEA, under which supplemental compensatory education services are provided to educationally deprived children, so that local Chapter 1 projects and educational choice programs will be coordinated with, and enhance, each other as follows:

Section 511. Section 511(a) of the bill would add a new section 1022 to Chapter 1, to ensure that children receiving Chapter 1 services do not lose those services when they participate in an educational choice program. Specifically, section 1022(a) would require an LEA to provide Chapter 1 services to each child residing in the LEA who is afforded the opportunity to participate in the LEA's choice program and who would have received Chapter 1 services in the absence of the choice program. The LEA could meet this "follow-the-child" requirement by providing services itself or through arrangements with other service providers.

If the LEA determines that it is not feasible or efficient to make these services available to a child, section 1022(b) would require the LEA to provide a per-child share of its Chapter 1 funds to the child's parents, in an amount equal to the total funds received by the LEA under its Basic Grant under section 1005 and its Concentration Grant, if any, under section 1006 (less amounts spent on administrative expenses), divided by the number of children selected by the LEA to receive Chapter 1 services. The parents could use these funds only to purchase supplementary compensatory education services for their child from any service provider that the LEA determines is able to provide appropriate and effective services to the child, or to meet the costs of transportation related to the child's participation in the LEA's choice program, or both. Finally, these payments would not constitute income to the parents for Federal income tax purposes.

Section 1022(c) would require each LEA carrying out a choice program to include in its Chapter 1 application, filed with the SEA under section 1012: (1) a description of its policies and procedures for carrying out the new section 1022; (2) an assurance that it will keep such records and provide the SEA such information relating to the provision of Chapter 1 funds to parents as may be required for fiscal audit and program

compliance; and (3) an assurance that it will exercise due diligence to ensure that parents use those funds only for the purposes authorized by section 1022(b)(3), and to recover any payments that are misused.

Section 511(b) of the bill would clarify that Chapter 1 funds can be used to pay the additional transportation costs of Chapter 1 children participating in an educational choice program. As with other Chapter 1 services, use of program funds for this purpose would be subject to the Chapter 1 prohibition against supplanting State and local funds.

Section 512. Section 512 of the bill would add two requirements to the Chapter 1 provisions on parental involvement, which would apply to each LEA carrying out an educational choice program. First, at the annual meeting of parents currently required by section 1016(c)(2) of the ESEA, representatives of the LEA would have to explain the availability of compensatory education services under the various options of the choice program. Second, the LEA would be required to provide to the parents of each child selected for Chapter 1 services an explanation in writing, and in such other manner as may be appropriate, of the options available to them under the choice program and under Chapter 1.

Section 513. Section 513 of the bill would define an "educational choice program" as a program, including a desegregation plan, adopted by an SEA or LEA, under which parents select the school or educational program in which their children will be enrolled. This definition would be added to those in section 1471 of the ESEA.

PART C -- ASSISTANCE FOR PARENTAL CHOICE PROGRAMS

Section 521. Section 521 of the bill would direct the Secretary of Education ("the Secretary") to make grants, in accordance with Part C, to local educational agencies (LEAs) that carry out educational choice programs.

Section 522. Section 522 of the bill would authorize the appropriation of $200 million for fiscal year 1992, and such sums as may be necessary for each of the four succeeding fiscal years, for this new program.

Section 523. Section 523(a) of the bill would make an LEA eligible for a grant if it will carry out an educational choice program during the year for which assistance is sought and carried out such a program during the preceding year.

Section 523(b) would describe the elements of an educational choice program that would qualify for assistance under this part. An eligible educational choice program would be a program adopted by a State or by an LEA under which (1) parents select the school, including private schools, in which their children will be enrolled; and (2) sufficient financial support is provided to enable a significant number or percentage of parents to enroll their children in a variety of schools and educational programs, including private schools.

Section 524. Section 524 of the bill would describe how each year's appropriations would be distributed among qualifying LEAs. Under section 524(a), each LEA whose application is approved would be allotted a portion of the program's appropriations in proportion to the amount it was allocated in the previous fiscal year for Chapter 1 Basic Grants and Concentration Grants under sections 1005 and 1006 of the ESEA, compared to the amounts allocated under sections 1005 and 1006 to all qualifying LEAs whose applications have been approved.

Section 524(b) would set the maximum amount of an LEA's allotment at (1) the average per-pupil expenditure of all LEAs in the State for the most recent fiscal year for which satisfactory data are available to the Secretary, multiplied by (2) the number of children afforded the opportunity to participate in the educational choice program in the year preceding the year for which assistance is sought. Subsection (c) would provide that excess funds would be returned to the Treasury.

Section 525. Section 525 of the bill would authorize an LEA to use program funds for any educational services provided to the LEA's students and for parental involvement activities, so long as these services and activities are in addition to services and activities that would otherwise be provided from State or local funds. Program funds could not be used for general administrative expenses.

Section 526. Section 526(a) of the bill would require an LEA wishing to receive a grant to submit an annual application to the Secretary, at such time and in such manner as the Secretary prescribes. Under section 526(b), each application would be required to contain: (1) a description of the educational choice program in sufficient detail for the Secretary to determine whether the LEA is eligible for a grant; and (2) such other assurances and information as the Secretary may require. Section 526(c) would require the Secretary, before finally deciding not approve an LEA's application, to provide a written explanation to the LEA and provide it a reasonable opportunity to respond.

PART D -- PARENTAL CHOICE PROGRAMS OF NATIONAL SIGNIFICANCE

Section 531. Section 531 of the bill would authorize the Secretary to make grants to SEAs, LEAs, and other agencies, institutions, and organizations to conduct and demonstrate nationally significant model programs of educational choice.

Section 532. Section 532(a) of the bill would authorize the appropriation of $30 million for fiscal year 1992, and such sums as may be needed for each of the four succeeding fiscal years, to carry out this new program. Section 532(b) would permit the Secretary to set aside up to five percent of each year's program appropriation to evaluate and disseminate information about educational choice programs assisted under this program.

Section 533. Section 533 of the bill would direct the Secretary to announce, each year, the approaches to educational choice that will be considered for funding. An application would be considered only if it complies with that announcement. The purpose of this part is not to finance any choice plan that an SEA or LEA may wish to implement. Rather, this part is designed to permit the Secretary to test and evaluate programs of educational choice that appear to have promise of substantial applicability to LEAs across the Nation.

Section 534. Section 534(a) of the bill would require a prospective grantee to submit an application to the Secretary, at such time, in such manner, and containing such assurances and information as the Secretary prescribes. Section 534(b) would authorize project periods of up to five years.

Section 535. Section 535 of the bill would allow SEAs and LEAs to use program funds for activities directly related to planning, implementing, operating, and evaluating, as well as disseminating information about, the educational choice demonstration program receiving assistance under this part. These funds could be used, to the extent otherwise permitted by law, to meet expenses of parents and children resulting from their participation in the choice program. These expenses could include tuition and fees at private schools or costs incurred for transportation.

Section 536. Section 536 of the bill would require the Secretary to consult with educational practitioners with experience with educational choice programs, individuals with expert knowledge and experience in the area of educational choice, and other interested individuals, including parents, in determining which approaches to educational choice to support under, and in otherwise carrying out, Part D.

Section 537. Section 537 of the bill would define an educational choice program, for purposes of Part D, as a program adopted by a State or by an LEA under which parents select the school in which their children will be enrolled, and that complies with the annual announcement under section 533.

TITLE VI - NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS

Section 601. Section 601(1) of the bill would amend section 406(f)(1) of the General Education Provisions Act ("GEPA") to authorize appropriations for section 406 activities, including the National Assessment of Educational Progress ("NAEP"), at $86,160,000 for fiscal year 1992 and such sums as may be necessary for each of the four succeeding fiscal years. This amendment would extend the funding authority for NAEP through 1996.

Section 601(2)(A)(i) of the bill would amend section 406(i)(2)(A) of GEPA to require that NAEP collect national and State-representative data, for those States that choose to participate, and to eliminate the requirement that NAEP collect regionally-representative data and references to subparagraphs (C)(i) and (ii), which require State assessments on a trial basis only. Regional data can be compiled by combining State data, if all States participate, and, for that reason, no longer needs to be a separate requirement for the NAEP design.

Section 601(2)(A)(ii) of the bill would amend section 406(i)(2)(A)(i) to replace the requirement that core subject-area assessments be conducted every certain number of years with a requirement that core subject-area assessments be conducted at least every four years. This amendment ensures that the five core subject areas specified in AMERICA 2000 are covered, but allows for the frequency of coverage to be determined on the basis of factors that cannot be predicted, such as: (1) certain opportunities, as in years that international studies are to be carried out in the same subject-area and when opportunities arise to join with other organizations in surveying fields such as arts, foreign languages, economics, or workplace skills; (2) the need to consider the relationship of the reading-writing test that the NAEP has traditionally used to the "English" test called for in AMERICA 2000; and (3) the availability of funds.

Section 601(2)(A)(iii) of the bill would amend section 406(i)(2)(A)(ii) of GEPA to require that data on students at specified ages be collected and reported on an annual basis,

rather than only every two years. This would permit expansion in coverage so that the five core-subjects described in the AMERICA 2000 and the National Education Goals could all be resurveyed at least once every four years.

Section 601(2)(B) of the bill would eliminate section 406(i)(2)(B) of GEPA, requiring the Secretary and the National Assessment Governing Board to ensure that specific subject matter will be included in each 2-year NAEP cycle. Current section 406(i)(2)(B) of GEPA conflicts with the amendments made in section 601(2)(A)(ii) of the bill to provide more flexibility in determining schedule of subjects to be assessed, and for that reason should be eliminated.

Sections 601(2)(C) and (D) of the bill would amend sections 406(i)(4)(B)(i) and (C) of GEPA to remove, respectively, the restriction on confidentiality of information on schools and the prohibition on the use of NAEP items and data to compare schools and districts. These changes would allow States to use NAEP tests to collect data on schools and districts that could be compared with State and national data. States have requested removal of this prohibition in order to promote accountability for student achievement.

Section 601(2)(E) of the bill would amend sections 406(i)(8)(B) and (C) of GEPA to eliminate the requirement that the State pay the non-Federal share of participation in State-based assessments. Rather, States would be required to pay a minimum State contribution of $100,000 each fiscal year and carry out the functions of conducting the Assessment at the school level for all schools in the State sample and coordinating within the State, subject to payment by the Secretary to offset the costs. Section 406(i)(8)(C) of GEPA would be amended to require the Secretary to pay the State for the cost, in excess of the minimum State contribution, of carrying out such functions an amount that would be identified in the agreement reached under section 406(i)(8)(B), and which would be the product of the total number of hours of work and training of school staff the Secretary estimates is required to conduct the Assessment at the school level and the total number of hours of work of State staff the Secretary estimates is required to coordinate the Assessment within the State, multiplied by a daily rate of pay, as determined by the Secretary. The changes made by section 601(2)(E) of the bill should greatly encourage voluntary participation in State assessments, while ensuring that States continue to have a stake in the administration of a national assessment.

TITLE VII -- NATIONAL COMMISSION ON TIME, STUDY, LEARNING, AND TEACHING

Section 701. Section 701(a) of the bill would establish a National Commission on Time, Study, Learning, and Teaching.

Section 701(b) of the bill would provide for membership of the Commission. It would consist of 15 members appointed by the President; taking into account three recommendations by the Speaker of the House of Representatives and three by the President pro tempore of the Senate. Members would be appointed on the basis of exceptional education, training, or experience from among the Nation's Governors, individuals from the business community, representatives of nonprofit organizations or foundations committed to the improvement of American education; individuals engaged in the profession of teaching; individuals engaged in school administration; members of school boards, and parents or representatives of parents or parent organizations; State officials directly responsible for education; Federal officials responsible for education policy; and educational researchers with experience relevant to the Commission's work. The Commission members would serve without compensation. The Commission could begin to operate as soon as seven members have been appointed. Any vacancy would be filled in the same manner as the original appointment was made.

Section 701(c)(1) of the bill would direct the Commission to examine the quality and adequacy of the study and learning time of elementary and secondary students in the Unites States in an era when World Class Standards of achievement need to be met, including issues regarding the length of the school day and year, the extent and role of homework, how time is currently being used for academic subjects, year-round professional opportunities for teachers, and the use of school facilities for extended learning programs. Section 701(c)(2) of the bill would require the Commission to prepare a final report, including an analysis and recommendations concerning: (1) the length of the academic day and the academic year in elementary and secondary schools throughout the United States and in schools of other nations; (2) the time children spend in school learning the five core subjects of English, mathematics, science, history, and geography; (3) the use of incentives for students to increase their educational achievement in available instructional time; (4) how children spend the 91 percent of their time that is outside school, with

particular attention to how much of that time can be considered "learning time" and how out-of-school activities affect intellectual development; (5) the time children spend on homework, how much of that time is spent on the core curriculum subjects, the importance that parents and teachers attach to homework, and the extent to which homework contributes to student learning; (6) year-round professional opportunities for teachers and how teachers can use their time to acquire knowledge and skills that will permit them to improve their performance and help raise the status of the profession; (7) how school facilities are used for extended learning programs; (8) the appropriate number of hours per day and days per year of instruction for United States elementary and secondary schools; and (9) if appropriate, a model plan for adopting a longer academic day and academic year for use by United States public elementary and secondary schools by the end of this decade, including recommendations regarding mechanisms to assist States, school districts, schools, and parents in making the transition from the current academic day and year to an academic day and year of a longer duration.

Section 701(d) would require the Commission to submit the report described in section 701(c)(2) to the President and the Congress within a year of its first meeting.

Section 701(e) would authorize the Commission to conduct hearings, receive testimony and evidence, obtain information from Federal agencies, accept gifts, and use the U.S. mails under the same terms and conditions as do those agencies. The Secretary of Education would be directed to provide reasonable administrative and support services to the Commission on a reimbursable basis.

Section 701(f) would: (1) direct the Commission to meet on a regular basis, as necessary; (2) establish a majority of Commission members as a quorum for the transaction of business; (3) provide for election of a Chairman and Vice Chairman by, and from, the Commission members, and direct the Commission to appoint a staff director and professional and clerical personnel; and (4) authorize the head of any Federal agency to detail personnel to the Commission.

Section 701(g) would provide for termination of the Commission 90 days after it submits its report as required under section 601(d).

Section 701(h) would authorize a total of $1 million to be appropriated for fiscal years 1991 and 1992 for the Commission.

TITLE VIII -- REGIONAL LITERACY RESOURCE CENTERS

Section 801. Section 801 of the bill would amend Part B (State Programs) of the Adult Education Act to add a new Subpart 7 relating to regional literacy resource centers. Subpart 7 would assist State and local public and private nonprofit efforts to improve literacy through the award of grants or contracts to State and local educational agencies, State offices on literacy, volunteer organizations, community-based organizations, institutions of higher education, and other nonprofit entities to operate regional literacy resource centers. Funds awarded to operate such centers could be used for a broad range of activities designed to improve illiteracy on a regional basis, including improving the dissemination and adoption of teaching methods and technologies; enhancing coordination of literacy services among the States and between public and private agencies; encouraging government and industry partnerships; encouraging innovation and experimentation in literacy activities; and providing technical assistance to State and local governments and service providers. Awards would be authorized for five years with a Federal share that declines from 80 percent for the first two fiscal years of assistance, to 70 percent for the third and fourth years, and to 60 percent for the fifth and final year. Finally, $5 million would be authorized for regional literacy resource centers for fiscal year 1992 and such sums for each of the next four fiscal years.

TITLE IX -- GENERAL PROVISIONS

Section 901. Section 901 of the bill would define the terms "Governor", "State", and "Secretary", as used in the bill, and would incorporate the definitions of "elementary school", "local educational agency", "secondary school", and "State educational agency" set out in section 1471 of the Elementary and Secondary Education Act of 1965.

Section 902. Section 902 of the bill would make Public Law 95-134, which permits the consolidation of certain grants to the Insular Areas, inapplicable to funds provided under the bill. The programs to be established by the bill are sufficiently important to require that funds under each program be spent on that program's objectives and in accordance with its requirements.

Section 903. Section 903 of the bill would provide that the bill would take effect on enactment.

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